

CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, February 09, 2023 at 6:30 PM (Immediately following the Public Hearing)
Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Commission, please sign the Attendance Roster located on the table in the foyer of the Public Safety Training Room. In accordance with the Open Meetings Act, the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

CONSENT AGENDA

All of the following items are considered to be routine by the P&Z Commission, there will be no separate discussion on these items and will be enacted by one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

4. Approval of the October 13, 2022 Planning and Zoning Commission Special Meeting Minutes.

Christina Picioccio, TRMC, City Secretary

5. Approval of the October 13, 2022 Planning and Zoning Commission Regular Meeting Minutes.

Christina Picioccio, TRMC, City Secretary

CONSIDERATION / DISCUSSION ITEMS

6. Consideration and possible action recommending the approval for Front Gate Unit 6 Updated Tree Preservation Plan.

Kelsey Delgado, Environmental Program Manager

7. Consideration and possible action of a rezoning request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen, Generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen, from Existing Residential Three (R3) to Community Facilities (CF).

Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

-
8. Consideration and possible action recommending approval of the proposed City of Fair Oaks Ranch Unified Development Code amendments and authorizing its presentation to the City Council.

Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

ADJOURNMENT

Request for P&Z commission topic needing information/research

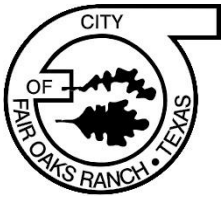
Signature of Agenda Approval: s/Carole Vanzant

Carole Vanzant, Assistant City Manager

I, Christina Picioccio, TRMC, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, February 6, 2023 and remained so posted continuously for at least 72 hours before said meeting was convened.

<p>The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.</p>



CITY OF FAIR OAKS RANCH

CITY COUNCIL & PLANNING AND ZONING COMMISSION SPECIAL MEETING

Thursday, October 13, 2022 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton

Council Members: Stroup, Elizondo, Koerner, and Parker

Council Absent: Council Members: Bliss, and Muenchow

P&Z Present: Chairperson Barnes & Vice Chairperson Horwath

Commission Members: Tom, Bryant, Martin, Pearson, and Balli

P&Z Absent: None

With both quorums present, the special meeting was called to order at 6:30 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

CITIZENS and GUEST FORUM

3. Citizens to be heard – None.

PUBLIC HEARING

4. **The City Council and the Planning & Zoning Commission of the City of Fair Oaks Ranch, Texas conducted a joint public hearing to receive public testimony on a Replat request for Lots 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres, generally located north-west of the intersection of Dietz Elkhorn Road and FM 3351, Fair Oaks Ranch, Texas.**

a. Mayor Maxton opened the joint public hearing at 6:34 PM.

b. Consultant, Lata Krishnarao, provided a presentation of the proposed Variance Application.

c. J.A. (Tony) Saucedo Jr. provided a presentation of the proposed Variance Application.

d. Council and P&Z receive citizen testimony for/against the Variance request with the Mayor serving as the presiding officer – Citizen John Collins spoke against awarding the replat request.

e. Mayor Maxton closed the joint public hearing at 6:46 PM.

f. Council and P&Z discussed the case, inclusive of questions of the applicant, staff, and the consultant.

g. The Public Hearing was adjourned with no formal action.

CITY COUNCIL & PLANNING AND ZONING COMMISSION SPECIAL MEETING
MINUTES

October 13, 2022

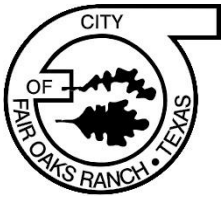
ADJOURNMENT

Mayor Maxton adjourned the meeting at 7:01 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio,
TRMC, City Secretary



CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, October 13, 2022 immediately following the Joint Public Hearing
Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Present: Chairperson Bobbe Barnes and Vice-Chairperson David Horwath
Commissioners: Linda Tom, Marty Bryant, Burney Martin, and Dale Pearson, and
Lamberto "Bobby" Balli

With a quorum present, the meeting was called to order at 6:33 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison

CITIZENS and GUEST FORUM

3. **Citizens to be heard** – There were no citizens to be heard.

CONSENT AGENDA

4. **Approval of the May 26, 2022 Planning and Zoning Commission Special Meeting Minutes.**
5. **Approval of the July 14, 2022 Planning and Zoning Commission Regular Meeting Minutes.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Horwath, to approve the Consent Agenda.

VOTE: 7-0, Motion Passed.

CONSIDERATION / DISCUSSION ITEMS

6. **Consideration and possible action on a Replat request from the applicant Kokopelli Development Team, on behalf of the property owners William S. Jr. & Cynthia W. Beall proposing a Replat of Lot 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres, generally located north-west of the intersection of Dietz Elkhorn Road and FM 3351, Fair Oaks Ranch, Texas.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Pearson to recommend approval of a replat request from the applicant Kokopelli Development Team, on behalf of the property owners William S. Jr. & Cynthia W. Beall proposing a Replat of Lot 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres with the following conditions.

1. Provide updated tax certificate that matches the plat area prior to recordation.
2. Add the legal descriptions of all tracts (Tracts 1, 2, and 3) as indicated in the survey to the plat.
3. Update the plat note to indicate that the plat area contains both Existing Residential 2 and Neighborhood Residential zones.

VOTE: 7-0, Motion Passed.

7. Consideration and possible action on the selection of a Planning and Zoning Commission Chairperson and Vice-Chairperson.

MOTION: Made by Vice-Chairperson Horwath, seconded by Commissioner Balli to recommend Bobbe Barnes serve as the P&Z Chairperson until the next Chairperson is selected in October 2023.

VOTE: 7-0, Motion Passed.

MOTION: Made by Commissioner Tom, seconded by Commissioner Balli to recommend David Horwath serve as the P&Z Vice-Chairperson until the next Vice-Chairperson is selected in October 2023.

VOTE: 7-0, Motion Passed.

REPORT

8. Katherine Schwitzer, P.E., Manager of Engineering Services, Lata Krishnarao, AICP, Consultant, Ardurra, and Cynthia Trevino, City Attorney provided an update regarding the Unified Development Code status.

ADJOURNMENT

Chairperson Barnes adjourned the meeting at 7:54 PM.

ATTEST:

Bobbe Barnes, Chairperson

Christina Picioccio,
TRMC, City Secretary



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
February 9, 2023

AGENDA TOPIC: Consideration and possible action recommending the approval for Front Gate Unit 6 Updated Tree Preservation Plan

DATE: February 9, 2023

DEPARTMENT: Public Works

PRESENTED BY: Kelsey Delgado, Environmental Program Manager

INTRODUCTION/BACKGROUND:

On December 12, 2022, an updated Tree Preservation Plan for Front Gate Unit 6 was submitted to the Public Works Department by Vickrey and Associates, Inc. This Tree Preservation Plan consists of an additional Heritage Tree to be removed due to its declined health status.

Regarding the submission of a Tree Preservation Plan, currently vested under the City's previous subdivision ordinance, Article II, Section 1 (C, 13) of said ordinance states, "The submittal shall conform to the requirements of Article III, Section 6 of this ordinance." This section contains a requirement by the Tree and Habitat Protection ordinance which states: "City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

The submitted Tree Plan shows the following heritage trees:

Tree #700 – 28" Oak – To Be Saved

Tree #701 – 36" Oak – To Be Removed

Tree #727 – 32" Oak – To Be Saved

Tree #728 – 28" Oak – To Be Saved

Tree #770 – 37" Oak – To Be Saved

Tree #783 – 62" Oak – To Be Removed – *Previously To Be Saved*

Tree #832 – 30" Oak – To Be Saved

Tree #837 – 27" Oak – To Be Saved

Tree #843 – 30" Oak – To Be Saved

To mitigate, an additional three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted; a grand total of six (6) trees to be planted. The applicant has been informed that the heritage trees will require City Council approval prior to removal.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article III Section 6(A) of the previous subdivision ordinance states:

"It shall be unlawful for any person to remove, destroy, or cause the removal or destruction of any tree which is nine - inches (9") caliper in size or larger (protected tree) and which is located on an undeveloped tract of land within the city limits or extraterritorial jurisdiction (ETJ) without

submitting a Tree Removal and Preservation Plan with the preliminary plat. City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

Furthermore, item "D" of the same section states the following:

"The Public Works Department shall review and recommend approval of the Plan if:

1. The tree(s) is located within ten feet of the perimeter of, the proposed building footprint, the area over a septic tank, areas necessary for site access, or within areas designated for the construction or installation of public facilities such as streets or utilities; or
2. The application demonstrates that the denial of the request for tree removal will affect a hardship prohibiting the development of the property in otherwise compliance with the regulations of the City of Fair Oaks Ranch; and
3. The application demonstrates that three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted on the site or at another approved location for each tree removed that has a caliper of twenty-four - inches (24") or larger (heritage tree)."

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

Not Applicable

RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the updated Front Gate Unit 6 Tree Preservation Plan and recommends approval based on conformance with the City's previous subdivision ordinance Article III, Section 6.

Motion: I move to recommend approval of the Front Gate Unit 6 Tree Preservation Plan.

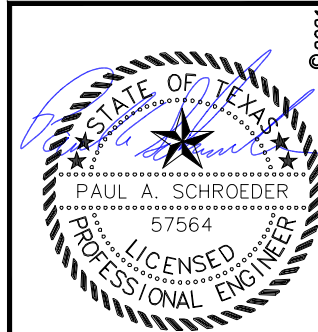
Dec 08, 2022 - 1:41pm
R:\2742-008\Engineering\DWG\2742008Oak_tree_plan.dwg

DRAWN BY: DS

CHECKED BY: PAS

APPROVED BY: DHS

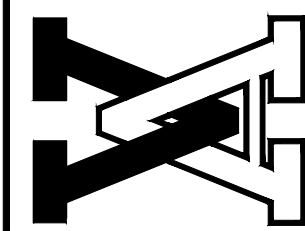
REVISED 12/8/2022



DATE:	
Vertical Scale 1"=N/A Horizontal Scale 1"= 40'	
0 20' 40' 60'	
SHEET	OF
19	21
PROJ. NO. 2742-008	

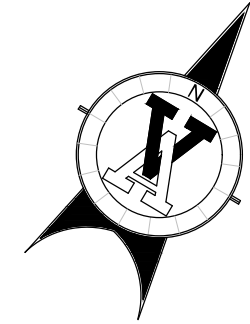
TREE PLAN

FRONT GATE UNIT 6
FAIR OAKS RANCH, TEXAS



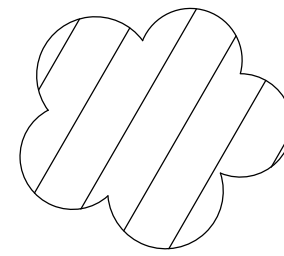
VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 549-3271
Firm Registration No. F-159

REVISIONS	
Δ	REMOVE TREE #83
2	
3	
4	
Δ	DESC.
DATE	
12/8/2022	

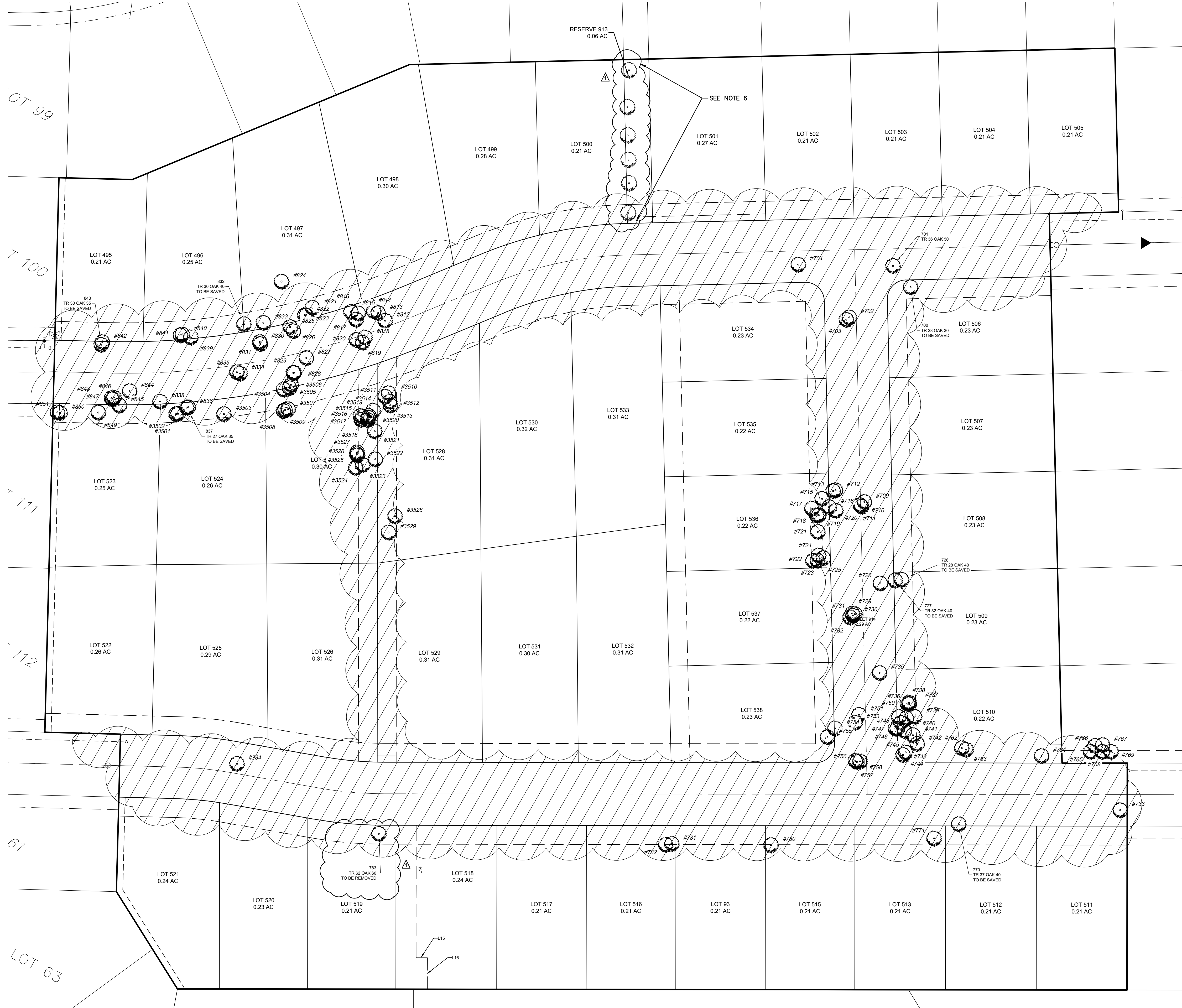


SCALE: 1"=40'

- NOTES:
- 1) NO OLD GROWTH CEDAR.
 - 2) EACH BUILDER WILL BE REQUIRED TO PLANT TWO TREES.
 - 3) ALL TREE REMOVAL WILL BE PERFORMED IN COMPLIANCE WITH THE CITY'S TREE MAINTENANCE ORDINANCE.
 - 4) FOR EACH TREE GREATER THAN 24" TO BE REMOVED, 3 TREES WITH A CALIPER OF AT LEAST 2-1/8" EACH SHALL BE PLANTED.
 - 5) THERE ARE 9 HERITAGE TREES. 2 TO BE REMOVED, 7 TO BE SAVED.
 - 6) TREES TO BE PLANTED TO MITIGATE TREES #701 AND #783.
 - 7) A PRECONSTRUCTION TREE WALK IS REQUIRED PRIOR TO THE REMOVAL OF ANY TREE



DESIGNATES AREA TO BE CLEARED



SEE NOTE 6

Dec 08, 2022 - 1:49pm
R:\2742-000\Engineering\DWG\27420000a_tree_plan.dwg

DRAWN BY: DS

CHECKED BY: PAS

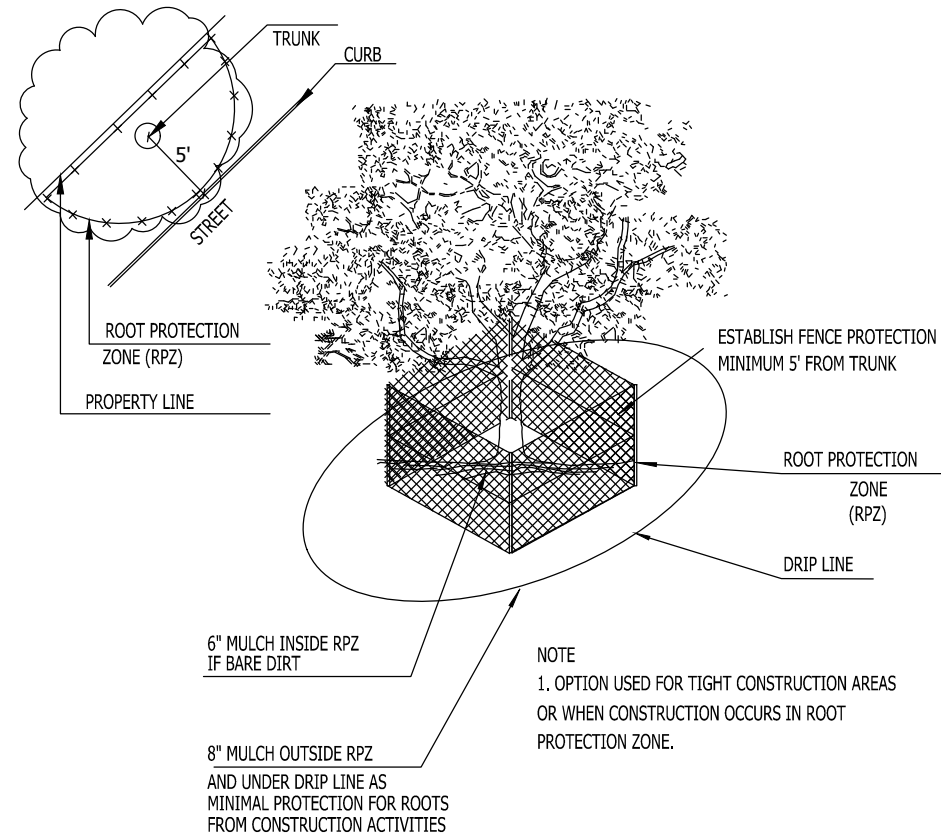
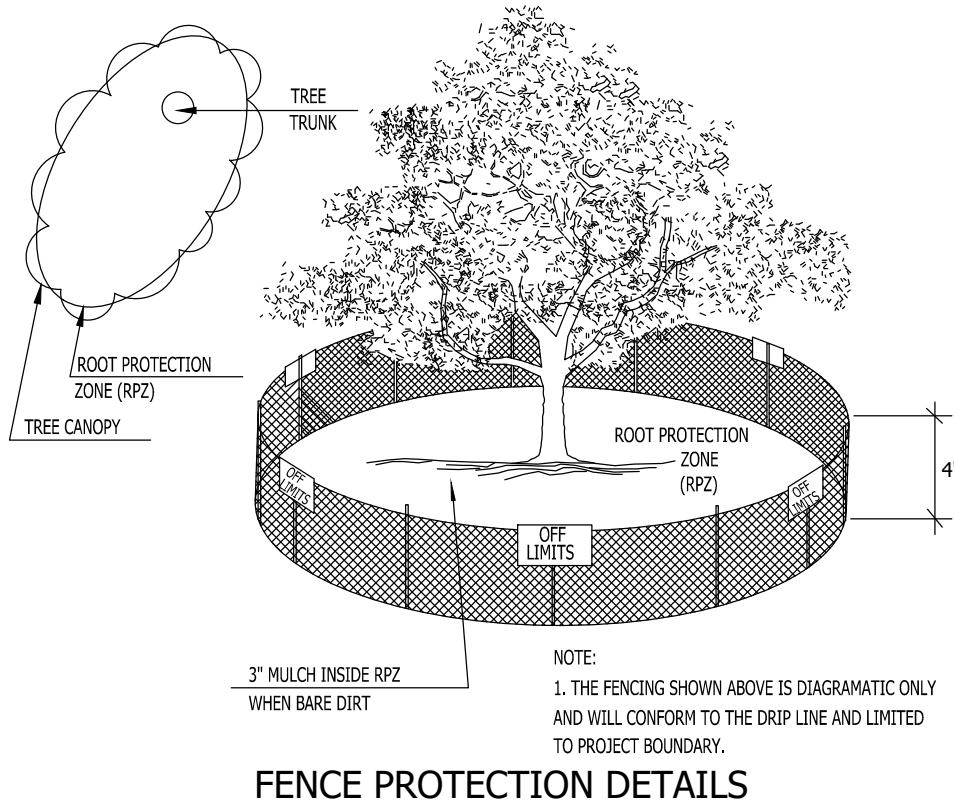
APPROVED BY: DHS

TREE INVENTORY		
Point #	DESCRIPTION	
** 700	TR 28	OAK 30
* 701	TR 36	OAK 50
702	TR 12	OAK 20
703	TR 12	OAK 25
704	TR 18	OAK 25
709	TR 11	OAK 20
710	TR 13	OAK 25
711	TR 9	OAK 20
712	TR 10	OAK 20
713	TR 11	OAK 20
715	TR 8	OAK 20
716	TR 8	OAK 20
717	TR 17	OAK 25
718	TR 13	OAK 25
719	TR 16	OAK 25
720	TR 8	OAK 25
721	TR 11	OAK 25
722	TR 12	OAK 25
723	TR 6	OAK 20
724	TR 9	OAK 20
725	TR 9	OAK 20
726	TR 8	ELM 10
** 727	TR 32	OAK 40
** 728	TR 28	OAK 40
729	TR 9	OAK 20
730	TR 11	OAK 25
731	TR 10	OAK 20
732	TR 10	OAK 20
733	TR 12	OAK 25
735	TR 12	OAK 30
736	TR 9	OAK 20
737	TR 11	OAK 20
738	TR 7	OAK 20
739	TR 6	OAK 20
740	TR 7	OAK 15

TREE INVENTORY		
Point #	DESCRIPTION	
741	TR 6	OAK 15
742	TR 6	OAK 15
743	TR 8	OAK 20
744	TR 6	OAK 15
745	TR 8	OAK 20
746	TR 7	OAK 20
747	TR 8	OAK 20
748	TR 6	OAK 20
750	TR 6	OAK 15
751	TR 9	OAK 20
753	TR 18	OAK 30
754	TR 12	OAK 25
755	TR 11	OAK 20
756	TR 17	OAK 25
757	TR 18	OAK 30
758	TR 11	OAK 25
762	TR 8	OAK 20
763	TR 14	OAK 30
764	TR 12	OAK 25
765	TR 7	OAK 20
766	TR 10	OAK 20
767	TR 6	OAK 10
768	TR 6	OAK 15
769	TR 9	OAK 15
** 770	TR 37	OAK 40
771	TR 13	OAK 25
780	TR 12	OAK 30
781	TR 8	OAK 20
782	TR 9	OAK 20
* 783	TR 62	OAK 60
784	TR 17	MES 30
812	TR 10	OAK 20
813	TR 13	OAK 20
814	TR 9	OAK 20
815	TR 14	OAK 25

TREE INVENTORY		
Point #	DESCRIPTION	
816	TR 9	OAK 20
817	TR 12	OAK 20
818	TR 17	OAK 25
819	TR 17	OAK 25
820	TR 11	OAK 20
821	TR 10	OAK 20
822	TR 7	OAK 15
823	TR 9	OAK 15
824	TR 13	OAK 25
825	TR 7-5	OAK 20
826	TR 7	OAK 15
827	TR 10	OAK 25
828	TR 9	OAK 20
829	TR 10	OAK 25
830	TR 9	OAK 20
831	TR 9	OAK 20
** 832	TR 30	OAK 40
833	TR 6	OAK 15
834	TR 9	OAK 25
835	TR 9	OAK 25
836	TR 20	OAK 25
** 837	TR 27	OAK 35
838	TR 19	OAK 30
839	TR 9	OAK 25
840	TR 7	OAK 15
841	TR 12	OAK 25
842	TR 11	OAK 25
** 843	TR 30	OAK 35
844	TR 14	OAK 35
845	TR 8	OAK 20
846	TR 12	OAK 25
847	TR 9	OAK 20
848	TR 11	OAK 25
849	TR 13	OAK 25
850	TR 13	OAK 25

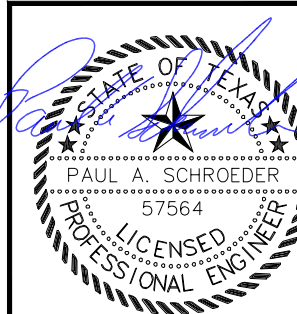
TREE INVENTORY		
Point #	DESCRIPTION	
851	TR 9	OAK 20
3501	TR 13	OAK 20
3502	TR 7	OAK 10
3503	TR 22	OAK 40
3504	TR 10	OAK 25
3505	TR 9	OAK 20
3506	TR 7	OAK 10
3507	TR 9	OAK 10
3508	TR 10	OAK 15
3509	TR 9	OAK 15
3510	TR 9	OAK 15
3511	TR 8	OAK 15
3512	TR 10	OAK 20
3513	TR 9-4	OAK 20
3514	TR 7	OAK 20
3515	TR 7	OAK 20
3516	TR 9	OAK 20
3517	TR 7	OAK 20
3518	TR 8	OAK 20
3519	TR 7	OAK 20
3520	TR 7	OAK 20
3521	TR 7	OAK 20
3522	TR 8-5	OAK 20
3523	TR 8	OAK 20
3524	TR 6	OAK 15
3525	TR 7	OAK 15
3526	TR 7	OAK 15
3527	TR 7	OAK 15
3528	TR 10	OAK 20
3529	TR 17	OAK 30



HERITAGE TREES
* - TO BE REMOVED
** - TO BE SAVED

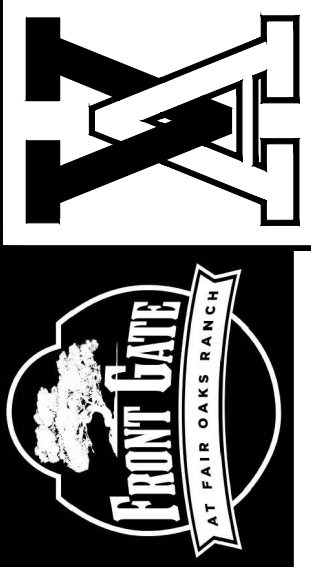
DESCRIPTION KEY
TREE SIZE OF EACH TRUNK (IN INCHES)
TR 19 OAK 25
SIZE OF CANOPY (IN FEET)
TYPE OF TREE

LEGEND
OAK -LIVE OAK
HACK-HACKBARRY
ASJ -ASHE JUNIPER
ELM - ELM TREE



DATE:	
Vertical Scale 1"= ##' Horizontal Scale 1"= ##'	
SHEET 20 OF 21	
PROJ NO. 2742-000a	

VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159



TREE PLAN
FRONT GATE UNIT 6
FAIR OAKS RANCH, TEXAS

REVISIONS	
Δ	REMOVE TREE 783
2	
3	
4	
Δ	DESC.



PLANNING & ZONING CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

February 9, 2023

AGENDA TOPIC: Consideration and possible action of a rezoning request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen, Generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen, from Existing Residential Three (R3) to Community Facilities (CF)

START DATE: February 9, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

SUMMARY:

The applicant is proposing to change the zoning classification of approximately 1.57 acres contained in 29243 Enchanted Glen from Existing Residential Three (R3) to Community Facilities (CF). The purpose of this rezoning request is to allow for an appropriate zoning classification to be placed on the subject property to enable the applicant to establish a licensed childcare center.

The Unified Development Code (UDC) describes the current and proposed zoning categories as follows:

Current Zoning - "The Existing Residential 3 (R3) category governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres. Exclusive of city permits and ordinances all lot, building, landscaping, and other standards will be controlled by the applicable deed restrictions in these neighborhoods, in compliance with City ordinance requirements."

Proposed Zoning - "The Community Facilities (CF) District is intended for locations at which facilities are provided for governmental, religious, educational, health care, public gatherings, and social services. Sites in the CF district are appropriate for direct access to primarily Arterial, Collector streets and Local Connector Streets. Development standards in this district will require new buildings to create pedestrian friendly building frontages and generally conform to a Hill Country Design aesthetic. Uses within this Zoning District include primarily Civic and places of worship."

The subject property contains a single-family residence and is in the recorded subdivision Enchanted Oaks Unit 1 and is currently served by Enchanted Oaks Water System and septic system. As per the deed restrictions applicable to this subdivision, no professional business or commercial activity to which the general public is invited is permitted. However, the City does not enforce private deed restrictions or HOA regulations.

LOCATION AND SURROUNDINGS:

The site is generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen.. A summary of the surrounding land uses and zoning designations can be found in the following table:

Zoning		Land Use
NORTH	Existing Residential 3	Single Family Residential
SOUTH	Existing Residential 3	Single Family Residential
WEST	Existing Residential 1	Single Family Residential (Elkhorn Ridge Development)
EAST	Existing Residential 2	Single Family Residential

Background:

The City adopted the current Comprehensive Plan in 2018 as part of a mission to strengthen and preserve the City's character.

Purpose of the Comprehensive Plan:

The purpose of the Comprehensive Plan is to determine community vision, goals, and aspiration in regard to community development. This living document is intended to guide City's land use, policies, and spending priorities for years to come. It addresses how "thoughtful design can maintain and improve quality of life for the people who live in Fair Oaks Ranch, and how to balance personal freedom with rules for common protection of property values, safety, and the preservation (and enhancement) of the community character."

As per the Comprehensive Plan – "The Comprehensive Plan will help guide where and how the development happens, and to shape the future growth in ways that will complement and protect the values of the existing community, and serve as a foundational rulebook for the landowners, developers, surveyors, engineers, and architects and for the City employees who will shepherd them."

The Comprehensive Plan serves as a guide to frame zoning regulations that regulate all development and land uses.

Process of Adoption of Comprehensive Plan:

The current Comprehensive Plan was created by the citizens of Fair Oaks Ranch and the process spanned over two years (2017-2018). It was led by a steering committee appointed by the City Council who worked with staff and the professional planning team. The citizens and other stakeholders were heard through workshops and City-wide "Town Hall" meetings, as well as numerous smaller meetings, planning exercises, and community surveys. The plan reflected the vision of the community.

Components of the Comprehensive Plan:

- 1) Text - The Comprehensive Plan contains a Future Land Use chapter that includes the descriptions of the various land use classifications, and recommendations on the appropriate land uses, development regulations, design standards, and zoning categories for each of these land use classifications.
- 2) Map - The Future Land Use Map (FLUM) included in the Comprehensive Plan shows suitable locations in the City for the various land use classifications. The FLUM classifications should be used in conjunction with associated text descriptions to assess the types of land uses and development desired for in a particular area.

Comprehensive Plan Recommendations for this Property:

The FLUM (Exhibit C: Future Land Use Map (FLUM) adopted in June 2018 designates this property as Existing Residential. The Comprehensive Plan recommends the following standards:

Existing Residential

Permitted Uses	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Lot and Block Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Building Form and Development Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Building Design Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Transportation (Street Types)	<ul style="list-style-type: none"> Local Multimodal Street Neighborhood Street

Relevant Excerpts from the Comprehensive Plan:

The Existing Residential designation is described as – “... The Existing Residential categories are intended to capture the neighborhoods already existing in Fair Oaks Ranch as the comprehensive plan exercise commenced. These neighborhoods were platted, and mostly built-out, before zoning districts were created. Construction standards and densities in these areas have historically been governed by land covenants and deed restriction committees. The four categories of Existing Residential zoning reflect the existing neighborhood character and densities already in place.”

The Comprehensive Plan states that - “Existing Residential 3 category governs areas where existing lot sizes are generally between approximately 1.3 acres and approximately five acres. All building, landscaping and other standards will be controlled by the applicable Restriction Committees”.

The proposed zoning category of CF is not recommended for the subject property by the Comprehensive Plan. As per the Comprehensive Plan, CF District is intended for governmental, religious, educational, health care, social service, and special facilities.

As per the Comprehensive Plan, sites with direct access from Arterial, Collector streets and Local Connector Streets are suitable for the CF zoning category. The subject property that fronts on a local street is not appropriate for a CF category.

Finding:

- The proposed zone change is not consistent with the Comprehensive Plan and the FLUM.

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE:

Current zoning: As per the UDC, Existing Residential Three (R3) zoning "... governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres." As per UDC, in R3 districts, all lot, building, landscaping and other standards will be controlled by the applicable Restriction Committees in compliance with City ordinance requirements.

As per the deed restrictions applicable to this subdivision, no professional business or commercial activity to which the general public is invited is permitted. However, the City does not enforce private deed restrictions or HOA regulations. The applicant has been notified of this deed restriction.

Proposed zoning: As per the UDC, CF district is intended for locations at which facilities are provided for governmental, religious, educational, health care, social service, public administration uses, and special facilities. Some of the areas in our city currently zoned as CF include:

- Along Dietz Elkhorn Road (Spring Creek United Methodist Church, City Hall, Van Raub Elementary School, Electrical Substation)
- Along Ralph Fair Road (Cibolo Creek Community Church, Fire Station)
- Intersection of Ralph Fair Road and Dietz Elkhorn Road (Fair Oaks Elementary School)

Based on the applicant's submittal and the pre-development meeting, the applicant proposes to use the existing residential structure as a licensed childcare facility for up to 48 kids depending on the state approval (including full time and part time childcare). It will not be a home day care and the applicant will not be using the structure as a residence. The existing residence and premises will need to be modified to meet the standards for a daycare center as required by the UDC and state requirements.

It should be noted that once the property is zoned, it can be developed or redeveloped for any use that is permitted in that zone, as long as all other development standards contained in the UDC are met. In other words, a zoning classification runs with the land and the land cannot be restricted to a daycare facility. Land uses permitted in CF district include hospital, fitness, recreational sports, gym, athletic club, dance or yoga studio, school, libraries, religious institutions, and bed and breakfast. (See attached Use Table).

As per UDC Sec. 4.10 (8), the proposed use of daycare center is permitted with conditions in the CF district. No additional conditions can be placed on the zone change. The required standards are:

- Meet the minimum state requirements for such facilities and be registered with the State of Texas.
- Meet applicable state regulations and the restrictions.
- Provide at least as much outdoor play area and indoor activity space per child as required by the state for licensed day care centers. All outdoor play to be located behind front building lines and a 6 ft. tall opaque screen to be provided to screen abutting property that is zoned residential at the time the childcare facility is established.
- Provide regular care to children under fourteen years of age for less than twenty-four hours a day.
- Not located in residentially zoned areas.

- Conform to the off-street parking and loading requirements:
 - Loading zones must be off-street, drive-through and paved to a minimum width of ten feet and a maximum width of twenty feet.
 - Loading zones shall have a holding capacity of one vehicle per five hundred square feet of the facility, exclusive of parking spaces, provided that no facility shall be required to have a loading zone with a capacity in excess of six spaces.

Finding:

- Uses permitted - The proposed zone change would permit the use proposed by the applicant if the standards listed above are met without any additional conditions on site development or use. If the zone change is approved the property can be used for any other uses permitted in the CF zone and there will be no guarantee that the site will be developed as proposed as a daycare center.

CONFORMANCE WITH THE CHARACTER OF THE AREA:

The proposed use will change the existing use of single family residential into a use of commercial nature. Without adequate thought to placement, buffers, and other considerations, the proposed use and other uses permitted in this zone may not be compatible with the adjacent use of single family residential.

Findings:

- The density and character of the proposed use and other uses permitted in CF zone may adversely affect abutting existing single-family neighborhoods.
- The traffic generated by the proposed use and other uses permitted in CF zone, such as hospital, fitness, recreational sports, gym, athletic club, dance or yoga studio, school, libraries, religious institutions, bed and breakfast etc. may have an adverse impact on circulation and safety on surroundings due to inadequate capacity, street continuity, and linkages.

CONFORMANCE WITH THE AVAILABILITY OF UTILITIES:

The subject property is currently served by private well and septic systems. The adequacy of water, sewer, roadway, and storm drainage facilities will need to be reevaluated to ensure there is capacity for any proposed uses by the CF district.

Findings:

- There may not be adequate utilities for the intensity of the proposed use and other permitted uses in the CF district.
- Detailed study will be required to ascertain the improvements needed for this use.

CONFORMANCE WITH THE TRANSPORTATION MAP:

The traffic generated by the proposed development will impact Enchanted Glen, Enchanted Elm, Enchanted Park, and Dietz Elkhorn Road. Enchanted Glen is a Local Street with 60' right of way (ROW) according to the recorded plat. Improvements may be needed to adequately support any commercial scale development. A traffic study will be required to determine the extent of improvements.

Findings:

- City's roadway infrastructure may not be suitable and adequate for the proposed use and all permitted uses in the CF district.
- A traffic study will be required to ascertain what improvements will be needed for the proposed use and all uses permitted in the CF district.

PUBLIC COMMENTS:

All real property owners within 200 feet were notified and notice of the public hearing has been published. Staff has received zero (0) public comments in favor of the request and fifteen (15) in opposition.

UDC Ch 3.7 (4)(vii)(2) states "If a proposed rezoning of a tract of land has been protested in writing by the owners of at least 20 percent of the area within 200 feet of the tract (who are also resident inside the City Limits), the rezoning may not become effective except by three-fourths vote of the City Council." Staff has reviewed the public comments and has determined 62% of the area is in opposition of the proposed rezoning.

STAFF ANALYSIS:

Based on the review of the application and supporting documents, UDC, Comprehensive Plan, and other applicable City standards, the staff's observations are as follows:

1. The rezoning will not be consistent with the Comprehensive Plan.
2. Without additional considerations and or the ability to require adherence to any site plan (not permitted by straight zoning), the rezoning may not be compatible with the surrounding single family uses. Staff believes that the rezoning, will allow the proposed use and potentially other commercial uses such as a hospital or fitness center, without appropriate buffers and transitions, and without any safeguards or design standards, may have a detrimental effect on the health, safety, or general welfare of the City and to the adjacent residential neighborhoods.
3. Once rezoned, the property can be developed for any other uses permitted in the CF district as mentioned above.
4. The proposed use would generate commercial traffic in an existing residential community.
5. The permitted uses in the CF district are intense uses that may have a significant impact on public infrastructure such as roads, parking facilities, water, and sewer, and storm drainage systems.
6. The permitted uses in the CF district may have a significant impact on public services such as police, fire protection, and trash collection.

Due to the reasons listed above the staff is unable to recommend approval.

CRITERIA FOR REVIEW:

According to the UDC, zoning changes may be approved if the following criteria are met:

1. The zoning change is consistent with the Comprehensive Plan;
2. The zoning change promotes the health, safety, or general welfare of the City and the safe, orderly, and healthful development of the City;

3. The zoning change is compatible with and conforms with uses of nearby property and the character of the neighborhood;
4. The property affected by the zoning change is suitable for uses permitted by the proposed amendment to the zoning map;
5. Infrastructure, including roadway adequacy, sewer, water and storm water facilities, is or is committed to be available that is generally suitable and adequate for the proposed use; and
6. Zoning Variance requests will not be considered. Zoning changes must be made by Zoning Map Amendment. All amendments must be in accordance with the Comprehensive Plan, which may be amended according to the procedure in this Section. Newly annexed areas will be zoned during the annexation process.

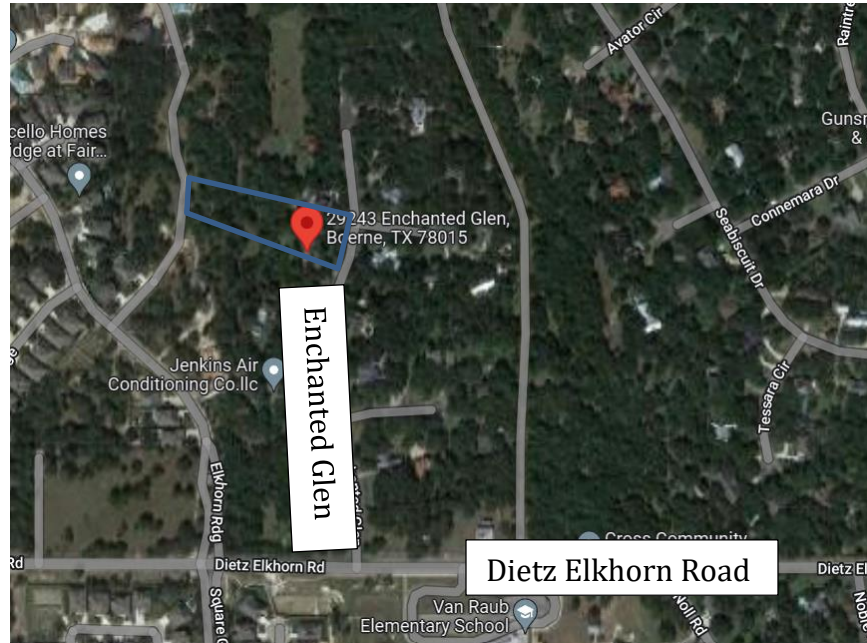
In conclusion, it is staff's opinion that this rezoning request does not meet the criteria listed above. A rezoning process does not provide an opportunity to conduct additional review and detailed analysis to confirm that there will not be any detrimental effects to the City from all the uses permitted in CF district. These reviews occur later during the construction plan review and permitting phase. Also, rezoning does not allow the ability to impose restrictions and conditions to mitigate the adverse impacts.

RECOMMENDED MOTION:

Staff recommends that the Rezoning request be denied.

Motion: I move to recommend approval of a rezoning request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen from Existing Residential Three (R3) to Community Facilities (CF).

Exhibit A: Aerial Map and Existing Site Conditions



Source: Google

Exhibit B: Current Zoning Map

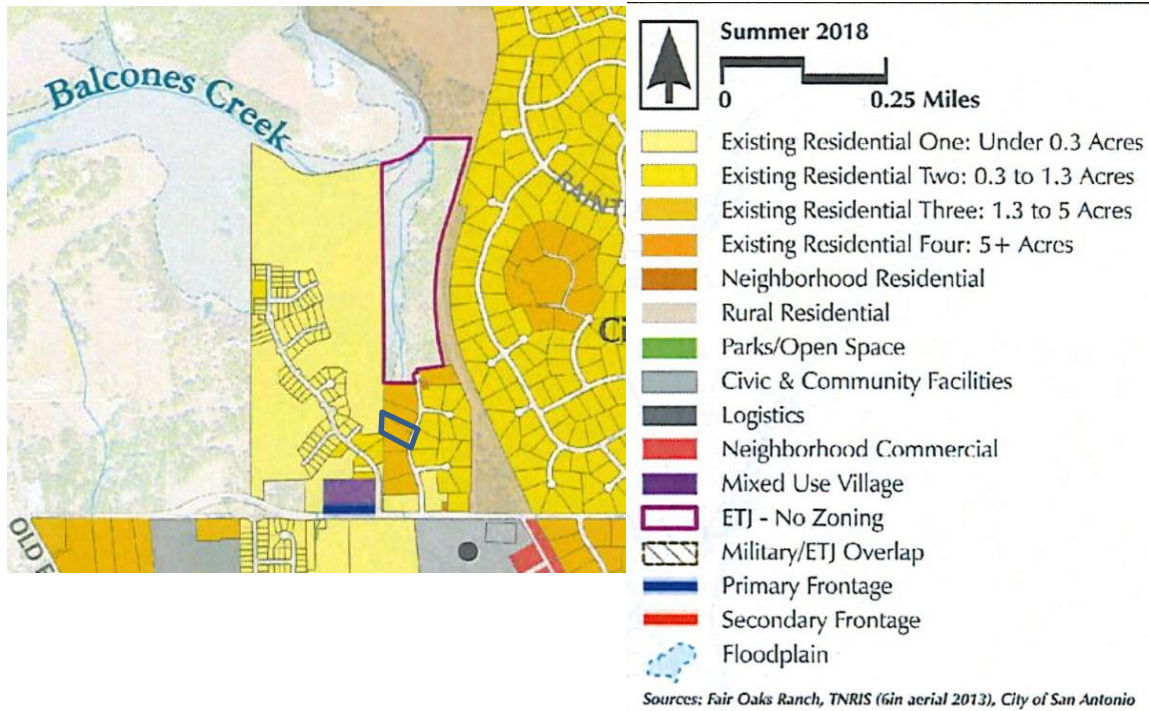


Exhibit C: Future Land Use Map (FLUM)

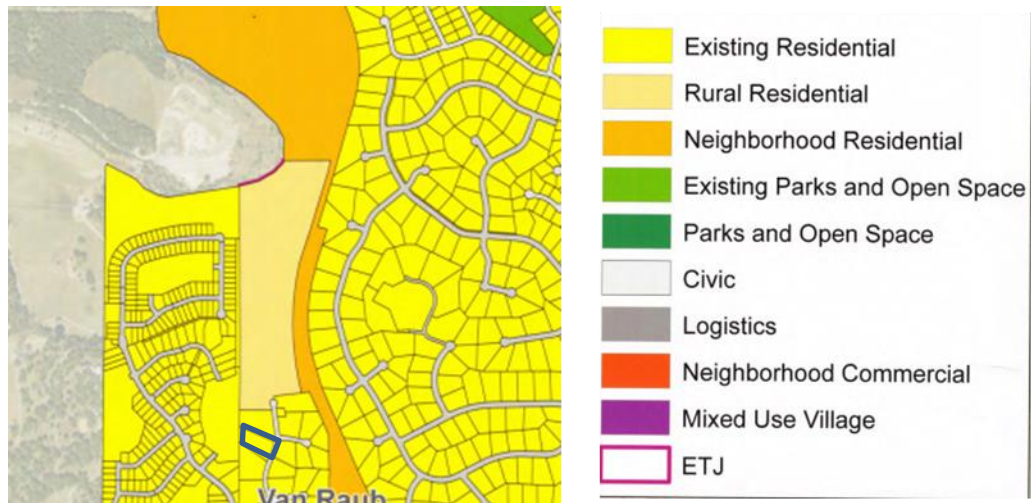
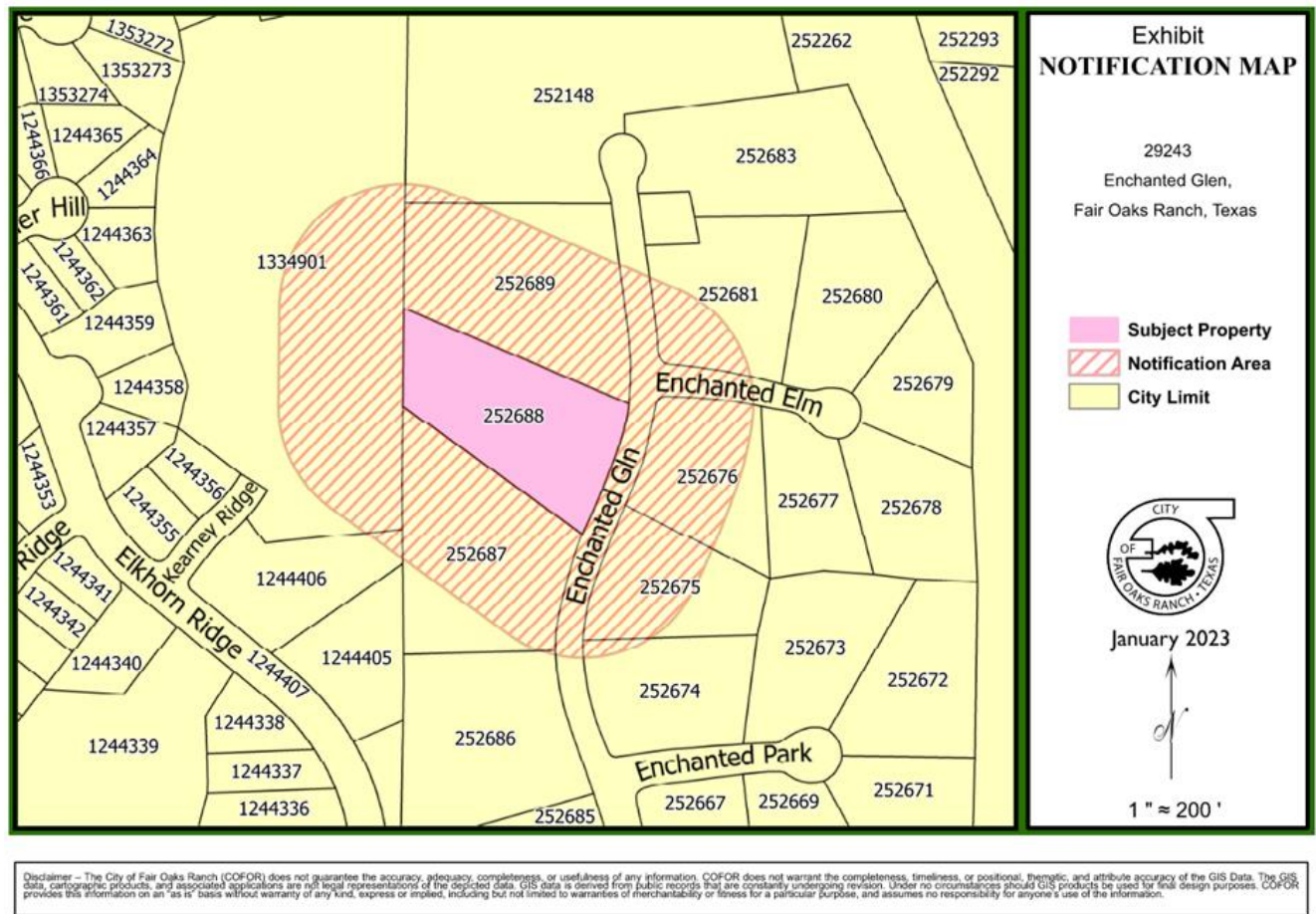


Exhibit D: Notification Map



Attachments:

1. Universal Application
2. S2 Rezoning Application Form
3. Supporting Documents Provided by the Applicant
4. Use Table
5. Property Owner Response Map
6. Property Owner Comment Forms



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

- (1) A complete **Universal Application** form (2 pages), and
 - (2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.
- The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: 29243 Enchanted Glen, Boerne, TX, 78015 Acreage: 1.57

Brief Description of Project: Rezoning for Childcare

Is property platted? ☐ No ☒ Yes Subdivision name: Enchanted Oaks No. of Lots: 1

Recordation #: 834190 Parcel(s) Tax ID#: 252688

Existing Use: Residential Proposed Use: Childcare/Educational

Current Zoning: Existing Residential 3 Proposed Zoning: Community Facilities District

Occupancy Type: _____ Sq. Ft: 2,117 Bed #: 3 Bath #: 2.5 Car Garage #: 2

Water System ☒ Well ☐ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☒ Septic ☐ Public

PROPERTY OWNER INFORMATION

Owner: Daniel & Lauren Tijerina Contact Name: Lauren Tijerina

Address: 29243 Enchanted Glen City/State/ZIP: Boerne, TX, 78015

Phone: 210-387-6250 Email: lauren.tijerina88@gmail.com

APPLICANT INFORMATION

Applicant/Developer: Daniel & Lauren Tijerina Contact Name: Lauren Tijerina

Address: 29243 Enchanted Glen City/State/ZIP: Boerne, TX, 78015

Phone: 210-387-6250 Email: lauren.tijerina88@gmail.com

KEY CONTACT INFORMATION

Name of the Individual: Lauren Tijerina Contact Name: Lauren Tijerina

Address: 29243 Enchanted Glen City/State/ZIP: Boerne, TX, 78015

Phone: 210-387-6250 E-mail: lauren.tijerina88@gmail.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature: *Lauren Tijerina* Lauren Tijerina Date: December 29, 2022

(Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: 01/03/2023 BY: KGS

FEES PAID: \$600 APPROVED BY: _____

DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☒ Rezoning/ FLUM amendment* - Form S2
- ☐ Special Use Permit* - Form S3
- ☐ Planned Unit Development (PUD)* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☐ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit* - Form S14
- ☐ Special Exception* - Form S15
- ☐ Site Development Permit* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit* - Form S17
- ☐ Stormwater Permit* - Form S18
- ☐ Certificate of Design Compliance* - Form S19
- Appeal of an Administrative Decision
- ☐ Zoning ☐ Others
- Variance
- ☐ Policy ☐ Judicial* - Form S20
- ☐ Sign Special Exception/Appeal to an Administrative Decision
- ☐ Administrative Exception
- ☐ Permit for Repair of Non-Conforming Use/Building
- ☐ Letter of Regulatory Compliance
- ☐ On-Site Sewage Facility Permit (OSSF)
- ☐ Certificate of Occupancy (CO)* - Form S21
- ☐ Relief from Signage Regulations
- ☐ Group Living Operation License* - Form S22
- ☐ Grading/Clearance Permit - Form S23

Building Permits Related**Commercial**

- ☐ New/Remodel/Addition* - Form S24
- ☐ Fence* - Form S25
- ☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
- ☐ Remodel/Addition* - Form S28
- ☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
- ☐ Swimming Pool* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign* (Permanent) - Form S34 A
- ☐ Sign* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan* - Form S35
- ☐ Water Heater or Water Softener* - Form S36
- ☐ Right-of-Way Construction* - Form S37
- ☐ Flatwork* - Form S38

Inspections

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others _____

Water- Wastewater Service

- ☐ Connect/ Disconnect Form* - Form S39

*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☐ Universal Application Form (Form UA).
- ☐ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☐ Application Processing Fees and other application fees.
- ☐ Letter of intent explaining the request in detail and reason for the request.
- ☐ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☐ Site plan and shapefile drawings (if applicable) for the property
- ☐ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☐ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☐ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

¹For items that are duplicated in the specific type of application, only one copy is required.



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

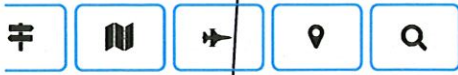
PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

Item #7.

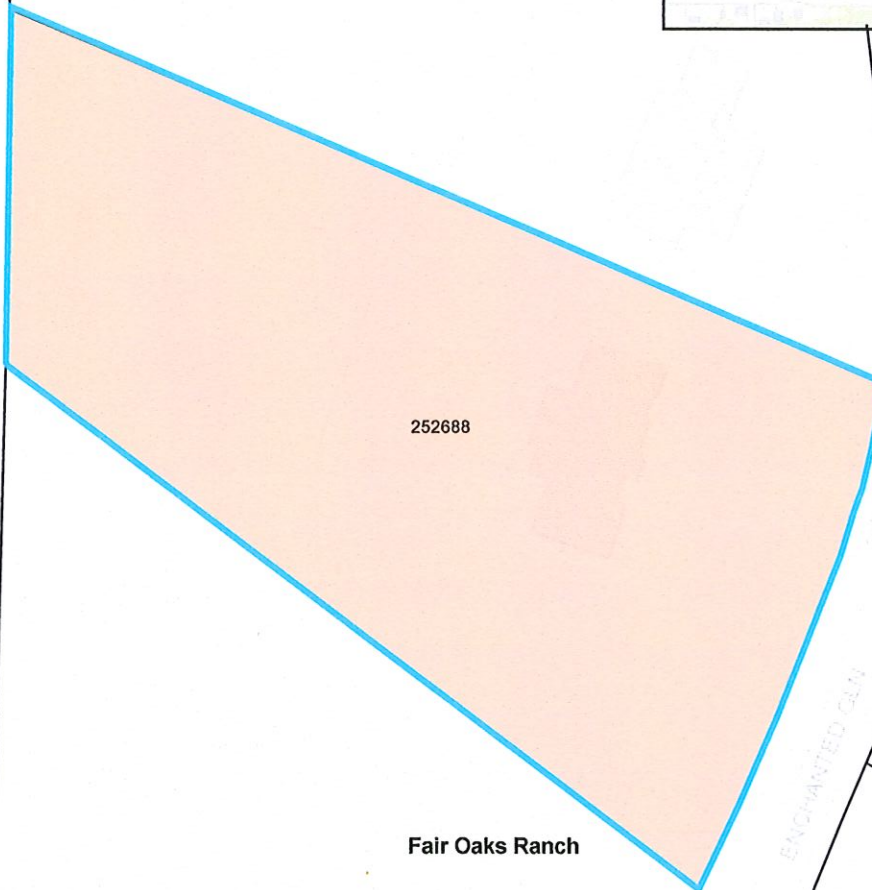
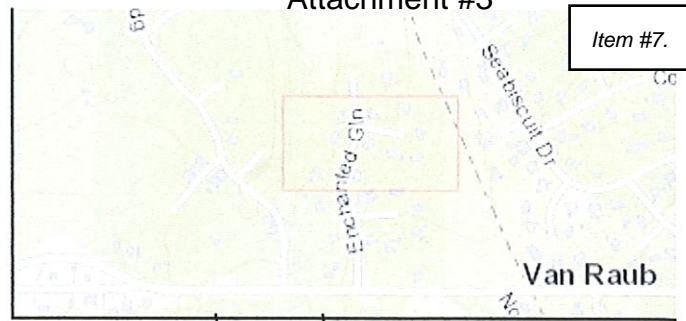
S2**SPECIFIC APPLICATION FORM – REZONING/ FUTURE LAND USE MAP AMENDMENT****Section 3.7 of the Unified Development Code**

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal. *Jan. 5, 2023 @ 2 pm*
- ☐ Concept plan approval (if required).
- ☒ A completed Universal Application and checklist signed by the owner/s of the property.
- ☒ A title report.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ 8½ x 11 copy of the legal description (metes and bounds) of the area encompassing the request. If the property is platted, a copy of the plat should be provided. *(located in left pocket)*
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Acknowledgement that the sign posted by the City on the property fifteen (15) days prior to the public hearing will be maintained until the zone change is heard at the public hearing.
- ☒ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- ☐ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email



252689



Fair Oaks Ranch

252687

252676

252675

Show Search Results



December 29, 2023

To Whom It May Concern:

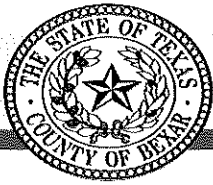
We are writing this to acknowledge that the sign posted by the city on our property, 29234 Enchanted Glenn, will be maintained until the zone change is heard at the public hearing beginning fifteen (15) days prior to the public hearing.

Lauren Tijerina



Daniel Tijerina



**ALBERT URESTI, MPA, PCAC**

Bexar County Tax Assessor-Collector

2022 REAL PROPERTY**04708-202-0050**

(ACCOUNT NUMBER)

12/29/2022

OWNER:

BULLER MICKEY RAY
29243 ENCHANTED GLEN
BOERNE, TX 78015

LEGAL DESCRIPTION:

CB: 4708B BLK: B LOT: 5 ENCHANTED OAKS
UNIT-1

LOCATION: 29243 ENCHANTED GLN**ACREAGE: 1.5700****APPAISED VALUE****CAP VALUE****HOMESTEAD VALUE****NON-QUAL VALUE****LAND****IMPROVEMENT**

220,210

326,770

0

546,980

0

AGRI. MKT VALUE**PROD VALUE****ASSESSED VALUE**

0

0

546,980

TAXING UNIT**EXEMPTIONS****TAXABLE VALUE****TAX RATE****TAX AMOUNT**

ROAD AND FLOOD

0

0

0

0

546,980

0.023668

129.46

ALAMO COMM COLLEGE

0

0

0

0

546,980

0.149150

815.82

HOSPITAL DISTRICT

0

0

0

0

546,980

0.276235

1,510.95

BEXAR COUNTY

0

0

0

0

546,980

0.276331

1,511.48

SA RIVER AUTHORITY

0

0

0

0

546,980

0.018360

100.43

FAIR OAKS RANCH

0

0

0

0

546,980

0.329100

1,800.11

TAXES FOR 2022:

\$5,868.25

PAYMENTS MADE FOR 2022 (EXCLUDING PENALTY AND INTEREST):

\$5,868.25

REMAINING AMOUNT DUE FOR 2022:

\$0.00

IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.

12/29/2022

2022 Payment Amount Due:

If paid in DEC 2022

0.00

If paid in JAN 2023

0.00

If paid in FEB 2023

0.00

DELINQUENT AFTER**JANUARY 31, 2023****AMOUNT PAID:**

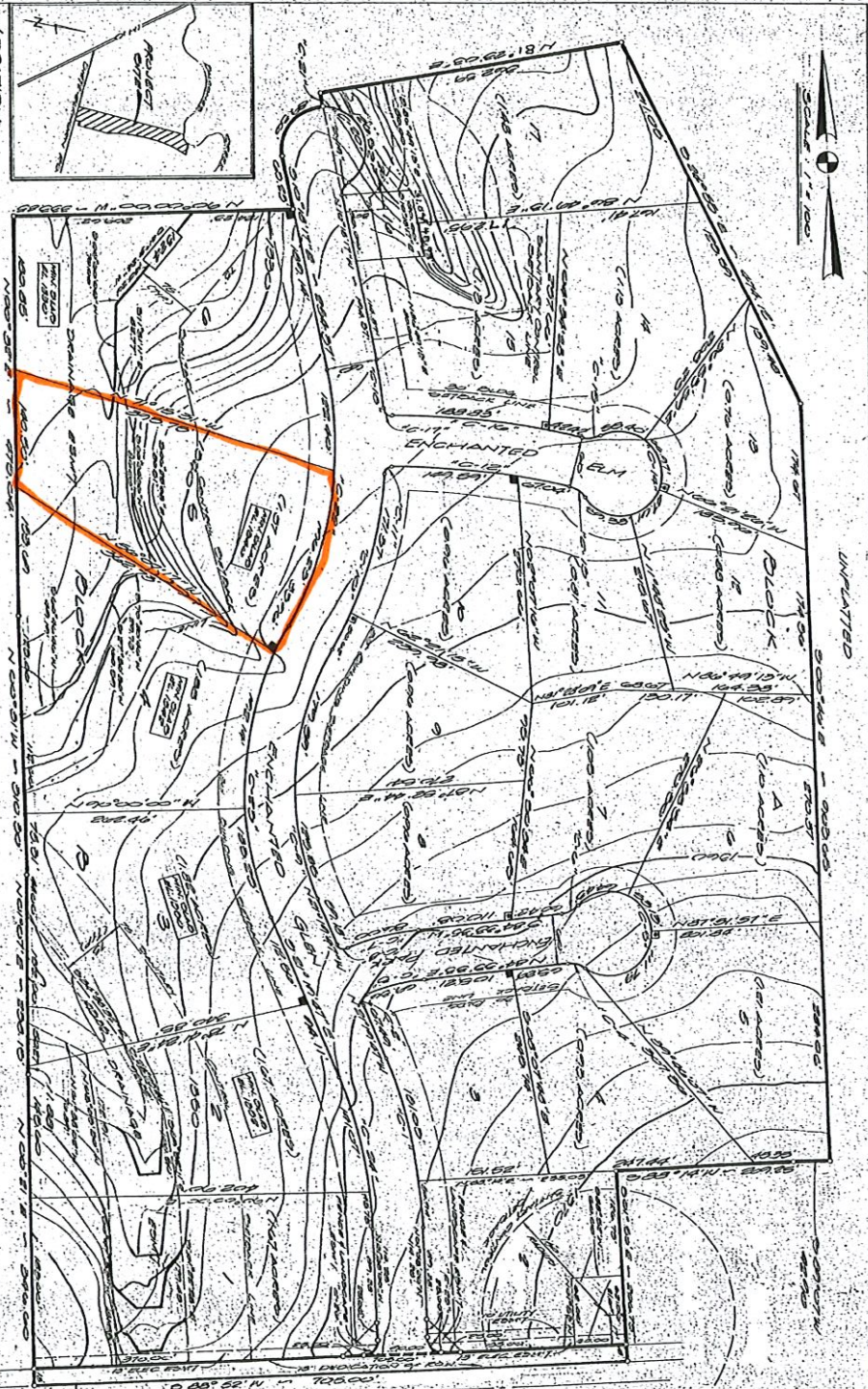
04708-202-0050

BULLER MICKEY RAY
29243 ENCHANTED GLEN
BOERNE, TX 78015

MAKE CHECK PAYABLE TO:

ALBERT URESTI, MPA, PCAC
BEXAR COUNTY TAX ASSESSOR-COLLECTOR
P O BOX 2903
SAN ANTONIO, TX 78299-2903

047082020050400 0000000000 0000000000 0000000000 0000000000 0000000000 0000000000



STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS
PLAN TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF
MY KNOWLEDGE, THIS PLAN CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION
ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE
PLANNING COMMISSION OF THE CITY.

28 day on hand
 REQUIRED PROFESSIONAL ENGINEER
 WITNESSED AND SUBSCRIBED BEFORE ME THIS 24th DAY OF August
 A.D. 19 84
 J. J. Battersby

THE OWNER OF THE LAND SHOWN ON THIS PLAT
IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATES TO THE USE
OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINAGE,
SEWERAGE AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION
HEREIN EXPRESSED.

STATE OF TEXAS

DULY AUTHORIZED AGENT

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THE DAY PERSONALLY APPEARED
WILLIS E. REICHERT
 WHOSE NAME IS SUBSCRIBED TO THE FORGOTTEN AND FETTERED, AND ACKNOWLEDGED
 THE SIGNATURE OF THE UNDERSIGNED, AND CONSENTED TO THE SAME BEING
 EXPRESSED AND IN THE CAPACITY THEREIN STATED.
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 24th DAY OF August
1948

A 30.02 ACRES TRACT OF LAND, BEING PART OF SUBDIVISION NO. 3, RECORDED IN VOL. 2, 1ST PAGE 123 OF THE DISTRICT COURT, MINUTED ON FILE IN THE REUTHER COUNTY CLERK'S OFFICE, OUT OF THE U.S. ARCADE SURVEY NO. 71 IN TEXAS. COUNTY TEXAS

of
SACRAMENTO
ENCHANTED DAKES, UNIT - 1

[illegible]

STATE OF TEXAS
COUNTY OF DEKALB

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29th DAY OF August
A.D. 1985
Jayno Bottasire
Infantryman

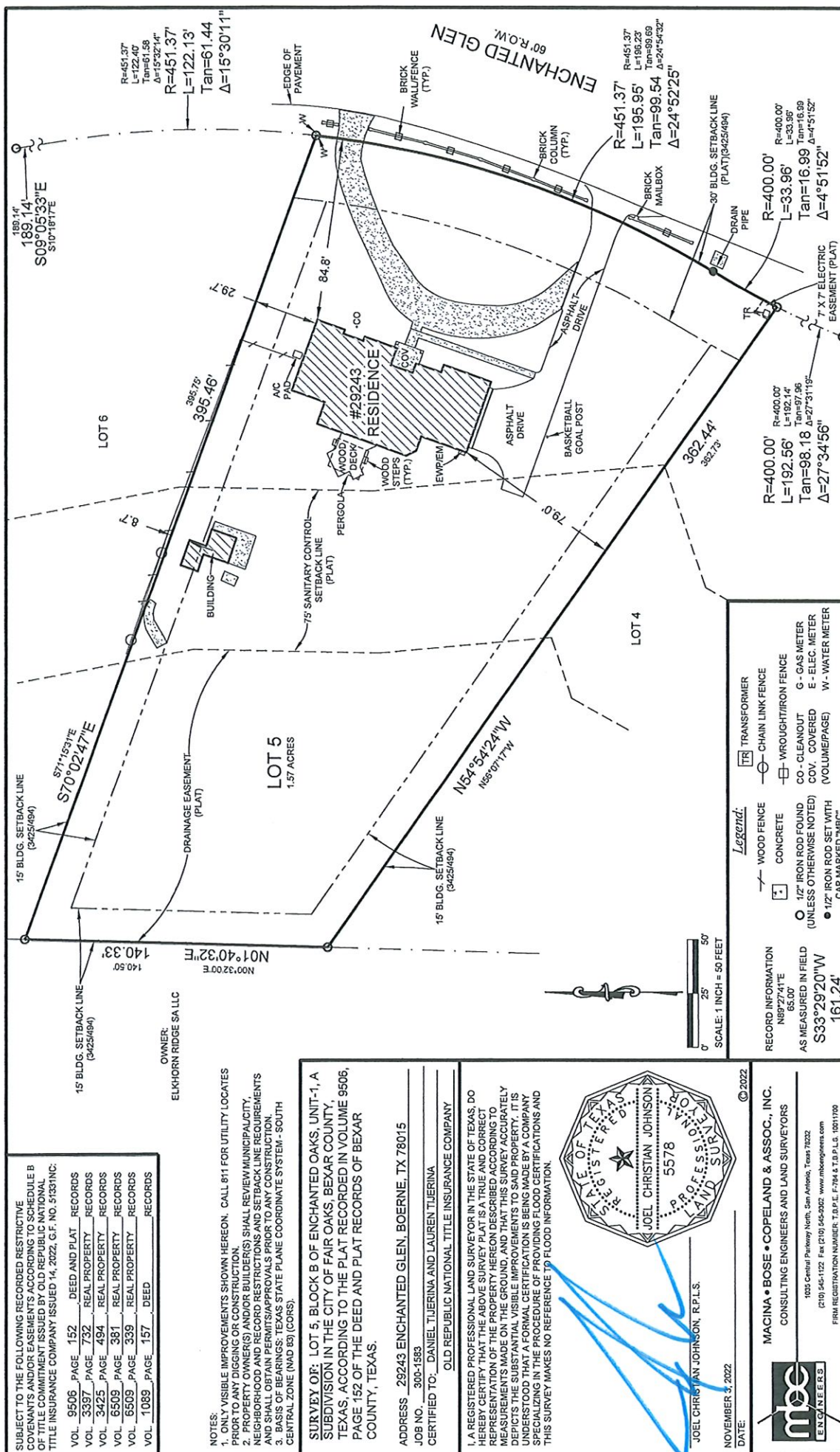
STATE OF TEXAS
COUNTY OF BEXAR
I, *Robert A. Green*, COUNTY CLERK OF SAID COUNTY, DO HEREBY
CERTIFY THAT THIS PLATING FILED FOR RECORD IN MY OFFICE,
ON THE *18* DAY OF *April*, 19*98*.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 1st DAY OF April, A.D. 1961.

906610A

152 La Vie

[illegible]



December 29, 2023

To Whom It May Concern:

I am writing this letter of intent to explain our request and the reason for the request.

We are requesting a zone change from "Existing Residential 3" to "Community Facilities District". The reason for this request is to be able to use the property as a Licensed Childcare Center.

While we do need the zoning to be changed to have the licensed childcare center, we have no intention of changing the house that is currently on the property. The only changes that are planned are only normal residential updates such as interior painting, new flooring, etc. The state requires the property to be licensed as a "childcare center" instead of a "in-home daycare" since no one will be living in the house.

As an experienced educator my intent is to bring a childcare to this community that will feel like home for all. I previously taught first grade in Round Rock, TX for nine years. I also proudly ran a successful licensed in-home daycare for two and a half years in Leander, TX for preschool and pre-k aged kiddos. Since I moved my family back home to where I grew up, I have wanted to continue to educate, prepare and positively impact children and their families.

I appreciate your time and consideration and look forward to meeting with you all.

Thank you,



Lauren Tijerina

Doc# 20220264681 11/08/2022 04:40 PM Page 1 of 3 Lucy Adame-Clark, Bexar County Clerk

Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: November 8, 2022

Grantor: Mickey Ray Buller, a single man

Grantor's Mailing Address: 7180 Presidio Ledge, Boerne, TX 78015

Grantee: Daniel Tijerina and Lauren Tijerina

Grantee's Mailing Address: 29243 Enchanted Glen, Boerne, Bexar County, Texas 78015

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements): Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152 of the Deed and Plat Records of Bexar County, Texas.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: November 8, 2022

Grantor: Mickey Ray Buller, a single man

Grantor's Mailing Address: 7180 Presidio Ledge, Boerne, TX 78015

Grantee: Daniel Tijerina and Lauren Tijerina

Grantee's Mailing Address: 29243 Enchanted Glen, Boerne, Bexar County, Texas 78015

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

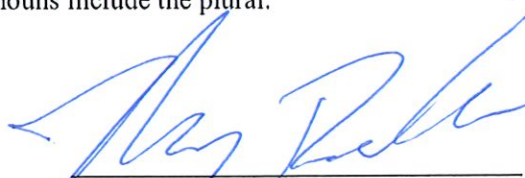
Property (including any improvements): Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152 of the Deed and Plat Records of Bexar County, Texas.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property.

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Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.


When the context requires, singular nouns and pronouns include the plural.


Mickey Ray Buller

STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me on this 8th day of November 2022, by Mickey Ray Buller.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:
Daniel Tijerina and Lauren Tijerina
29243 Enchanted Glen
Boerne, Texas 78015

File Information**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20220264681
Recorded Date: November 08, 2022
Recorded Time: 4:40 PM
Total Pages: 3
Total Fees: \$30.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 11/8/2022 4:40 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk



Old Republic National Title Insurance
115 N. Loop 1604 East, Suite 2200
San Antonio, TX 78232
Phone: 210-496-0002
Fax:

BUYER INFORMATION SHEET

GF #: 51331NC

BUYER NAME(S): Daniel Tijerina and Lauren Tijerina

BUYER'S ADDRESS AFTER CLOSING:

8023 Platinum Ct.
Boerne, Tx, 78015

BUYER 1 PHONE #:

512-739-9019

BUYER 2 PHONE #:

210-387-6250

HOME PHONE #:

E-MAIL ADDRESS:

d Daniel.Tijerina@gmail.com



BUYER'S WALK-THROUGH, CONFIRMATION, AND ACCEPTANCE FORM

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
©Texas Association of REALTORS®, Inc. 2022

CONCERNING THE PROPERTY AT

29243 Enchanted Glen, Boerne

NOTICE TO BUYER: The contract provides that the Seller will deliver possession of the Property to the Buyer in its present or required condition, ordinary wear and tear excepted. Before closing, the Buyer should verify that the condition of the Property meets the terms of the contract.

A. Inspections:

- ☒ (1) The Property was inspected by an inspector or inspectors of Buyer's choice. Buyer has reviewed the inspection report(s).
- ☐ (2) Buyer has chosen not to have the Property inspected.

B. Reinspections:

- ☒ (1) After completion of agreed repairs, the Property was inspected by an inspector or inspectors of Buyer's choice. Buyer has reviewed the inspection report(s).
- ☐ (2) Buyer has chosen not to have the Property reinspected.

C. Residential Service Contract:

- ☐ (1) Buyer has purchased a residential service contract.
- ☒ (2) Buyer has chosen not to purchase a residential service contract.

D. Before Closing Walk-Through:

- ☒ (1) Buyer has walked through and reviewed the Property before closing on 11/8/22.
- ☐ (2) Buyer chooses not to walk through or review the Property before closing.

E. Sight Unseen:

- ☒ (1) Buyer has visited and reviewed the Property in person.
- ☐ (2) Buyer chooses not to visit or review the Property in person and is purchasing the Property sight unseen.

F. Acceptance: Buyer accepts the Property in its present condition.

NOTICE TO BUYER: The brokers have no knowledge of any defects in the Property other than what has been disclosed in the Seller's Disclosure Notice or other written information the brokers may have provided. The brokers have no duty to inspect the property for unknown defects. It is the Buyer's responsibility to have inspections completed.

Buyer

Date

Buyer

Date

(TXR-1925) 07-08-22

Page 1 of 1

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0265

B. Type of Loan				6. File Number		7. Loan Number		8. Mortgage Ins Case Number	
1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FinHA 3. <input type="checkbox"/> Conv Unins 4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Conv Ins 6. <input type="checkbox"/> Seller Finance 7. <input checked="" type="checkbox"/> Cash Sale.				51331NC					
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.									
D. Name & Address of Borrower Daniel Tijerina and Lauren Tijerina 8023 Platinum Ct Boerne, TX 78015				E. Name & Address of Seller Mickey Ray Buller 29243 Enchanted Glen Boerne, TX 78015				F. Name & Address of Lender CASH TRANSACTION	
G. Property Location Enchanted Oaks Ut 1, 9506/152, CB 4708B, Block B, Lot 5, Bexar County 29243 Enchanted Glen Boerne, TX 78015				H. Settlement Agent Name Old Republic National Title Insurance 115 N. Loop 1604 East, Suite 2200 San Antonio, TX 78232 Tax ID: 41-0579050 Underwritten By: Old Republic				I. Settlement Date 11/8/2022 Fund: 11/8/2022	
J. Summary of Borrower's Transaction					K. Summary of Seller's Transaction				
100. Gross Amount Due from Borrower					400. Gross Amount Due to Seller				
101. Contract Sales Price		\$619,000.00			401. Contract Sales Price		\$619,000.00		
102. Personal Property					402. Personal Property				
103. Settlement Charges to borrower		\$705.00			403.				
104.					404.				
105.					405.				
Adjustments for Items paid by seller in advance					Adjustments for Items paid by seller in advance				
106. Bexar County Property Taxes		11/09/22 thru 12/31/22 \$852.10			406. Bexar County Property Taxes		11/09/22 thru 12/31/22 \$852.10		
107. Kendall County Property Taxes (Boerne IS)		11/09/22 thru 12/31/22 \$908.01			407. Kendall County Property Taxes (Boerne IS)		11/09/22 thru 12/31/22 \$908.01		
108. Assessment Taxes					408. Assessment Taxes				
109. School property taxes					409. School property taxes				
110. HOA Dues					410. HOA Dues				
111. Other taxes					411. Other taxes				
112.					412.				
113.					413.				
114.					414.				
115.					415.				
116.					416.				
120. Gross Amount Due From Borrower		\$621,465.11			420. Gross Amount Due to Seller		\$620,760.11		
200. Amounts Paid By Or in Behalf Of Borrower					500. Reductions in Amount Due to Seller				
201. Deposit or earnest money		\$6,000.00			501. Excess Deposit				
202. Principal amount of new loan(s)					502. Settlement Charges to Seller (line 1400)		\$42,098.55		
203. Existing loan(s) taken subject to					503. Existing Loan(s) Taken Subject to				
204. Loan Amount 2nd Lien					504. Payoff of first mortgage loan to Rocket Mortgage, LLC		\$267,061.36		
205.					505. Payoff of second mortgage loan to				
206.					506.				
207.					507.				
208. Option Fee held in Escrow		\$100.00			508.				
209. Seller Contribution		\$500.00			509. Seller Contribution		\$500.00		
Adjustments for Items unpaid by seller					Adjustments for Items unpaid by seller				
210. Bexar County Property Taxes					510. Bexar County Property Taxes				
211. Kendall County Property Taxes (Boerne IS)					511. Kendall County Property Taxes (Boerne IS)				
212. Assessment Taxes					512. Assessment Taxes				
213. School property taxes					513. School property taxes				
214. HOA Dues					514. HOA Dues				
215. Other taxes					515. Other taxes				
216.					516.				
217.					517.				
218.					518.				
219.					519.				
220. Total Paid By/For Borrower		\$6,600.00			520. Total Reduction Amount Due Seller		\$309,659.91		
300. Cash At Settlement From/To Borrower					600. Cash At Settlement To/From Seller				
301. Gross Amount due from borrower (line 120)		\$621,465.11			601. Gross Amount due to seller (line 420)		\$620,760.11		
302. Less amounts paid by/for borrower (line 220)		\$6,600.00			602. Less reductions in amt. due seller (line 520)		\$309,659.91		
303. Cash From Borrower		\$614,865.11			603. Cash To Seller		\$311,100.20		

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following:

- HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services;
- Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate;
- Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

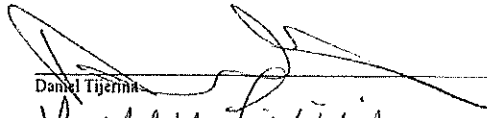
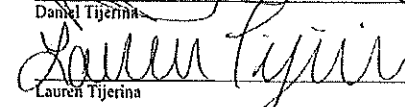
The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

L. Settlement Charges				Paid From	Paid From
700. Total Sales/Broker's Commission based on price	\$619,000.00	@5 % = \$30,950.00		Borrower's Funds at Settlement	Seller's Funds at Settlement
Division of Commission (line 700) as follows:					
701. \$15,475.00	to Vivid Realty, LLC				
702. \$15,475.00	to Real Brokerage				
703. Commission Paid at Settlement				\$0.00	\$30,950.00
704. The Following Parties/Persons	to				
705. Firms, or Corporations have received	to				
706. a portion of the Real Estate Commission	to				
707. Shown Above/T.Rogers/A.Grothues	to				
800. Items Payable in Connection with Loan					
801. Loan Origination Fee %	to				
802. Loan Discount %	to				
803. Appraisal Fee	to				
804. Credit Report	to				
805. Lender's Inspection Fee	to				
806. Mortgage Insurance Application	to				
807. Assumption Fee	to				
808. Flood Certification Fee	to				
809. Application Fee	to				
810. Tax Research Fee	to				
811. Underwriting Fee	to				
812. Processing Fee	to				
900. Items Required by Lender To Be Paid In Advance					
901. Interest from 11/8/2022 to 12/1/2022 @ \$0/day					
902. Mortgage Insurance Premium for months	to				
903. Hazard Insurance Premium for years	to				
1000. Reserves Deposited With Lender					
1001. Hazard insurance	months @	per month			
1002. Mortgage insurance	months @	per month			
1003. City property taxes	months @	per month			
1004. Kendall County Property Taxes (Boerne IS	months @	per month			
1005. Assessment Taxes	months @	per month			
1006. School property taxes	months @	per month			
1007. HOA Dues	months @	per month			
1008. Other taxes	months @	per month			
1011. Aggregate Adjustment					
1100. Title Charges					
1101. Settlement or closing fee	to				
1102. Abstract or title search	to				
1103. Title examination	to				
1104. Title insurance binder	to				
1105. Document preparation	to Pena and Pena, PLLC				\$75.00
1106. Notary fees	to				
1107. Attorney's fees	to				
(includes above items numbers:)				
1108. Title insurance	to Old Republic National Title				\$3,567.00
(includes above items numbers:)				
1109. Lender's coverage	\$0.00/\$0.00				
1110. Owner's coverage	\$619,000.00/\$3,745.35				
1111. TX Escrow fee	to Old Republic National Title			\$475.00	\$475.00
1112. Copy Fees	to Old Republic National Title			\$10.00	\$10.00
1113. State of Texas Policy Guaranty Fee	to Texas Title Insurance Guaranty Association			\$0.00	\$2.00
1114. E-Recording and Processing Fee	to EPN			\$35.00	
1115. Notary Service Fee	to Grace N. Garcia			\$125.00	
1116. Wire Processing Fee	to Old Republic National Title			\$30.00	\$30.00
1117. Courier/Delivery Fee	to Old Republic National Title				
1118. TIR Survey Amend End RES GFE#5	to Old Republic National Title				\$178.35
1200. Government Recording and Transfer Charges					
1201. Recording Fees Deed \$30.00 ; Mortgage ; Rel	to EPN			\$30.00	
1202. City/county tax/stamps Deed ; Mortgage	to				
1203. State tax/stamps Deed ; Mortgage	to				
1204. Tax Certificates	to J. L. Gross & Company				\$47.95
1300. Additional Settlement Charges					
1301. 2022 Property Taxes	to Bexar County Tax Assessor Collector				\$5,868.25
1302. 2022 Boerne ISD Taxes	to Kendall County Tax Assessor-Collector POC (H) \$6,446.71				
1303. New Survey	to MBC Engineers				\$895.00
1304. HOA Resale Fee	to				
1305. Home Warranty Service Contract	to				
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)				\$705.00	\$42,098.55

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.


Daniel Tijerina

Lauren Tijerina

Counter Signature
Mickey Ray Buller

SETTLEMENT AGENT CERTIFICATION

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this statement.

Settlement Agent

Date

Warning: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

Previous Editions are Obsolete

Page 2

form HUD-1 (3/86)
Handbook 4305.2

Daniel Tijerina

Counter signature

Mickey Ray Butler

Lauren Tijerina

SETTLEMENT AGENT CERTIFICATION

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this agreement.

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Page 2

Form HUD-1 (3/86)
Handbook 4305.2

Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: November 8, 2022

Grantor: Mickey Ray Buller, a single man

Grantor's Mailing Address: 7180 Presidio Ledge, Boerne, TX 78015

Grantee: Daniel Tijerina and Lauren Tijerina

Grantee's Mailing Address: 29243 Enchanted Glen, Boerne, Bexar County, Texas 78015

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

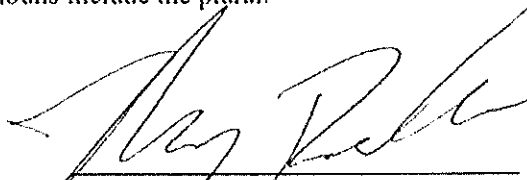
Property (including any improvements): Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152 of the Deed and Plat Records of Bexar County, Texas.

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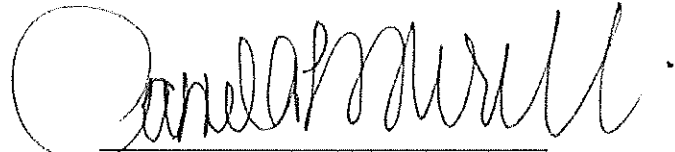
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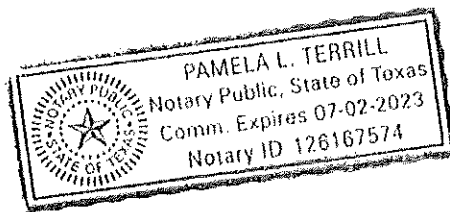

Mickey Ray Buller

STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me on this 8th day of November 2022, by Mickey Ray Buller.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:
Daniel Tijerina and Lauren Tijerina
29243 Enchanted Glen
Boerne, Texas 78015

Affiliated Business Arrangement Disclosure Statement

To: Daniel Tijerina and Lauren Tijerina Property: 29243 Enchanted Glen
 Mickey Ray Buller Boerne, TX 78015
 From: Old Republic National Title Insurance Company Date: November 4, 2022

This is to give you notice that Old Republic Title has a business relationship with eRecording Partners ("ePN"). ePN is a subsidiary of Old Republic National Title Insurance Company.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider as a condition for settlement of your purchase, sale, or refinance of the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

ePN Fee Schedule, Texas

SERVICE/DOCUMENT	FEE
------------------	-----

PROCESSING FEE

Per File Processing Fee \$35.00

RECORDING FEES


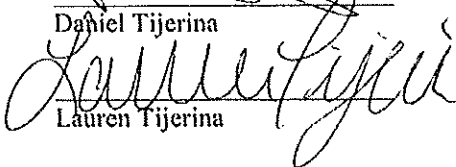
	Actual Cost Imposed by County
Per Document Recording Fee	Estimates may be used if documents are not received before the Settlement Statement is finalized

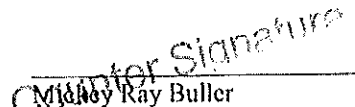
ACKNOWLEDGEMENT

I/we have read this disclosure form, and understand that Old Republic Title is referring me/us to purchase the above-described settlement service(s) and that ePN is a subsidiary of Old Republic Title.

Buyers:

Sellers:


 Daniel Tijerina

 Lauren Tijerina


 Mickey Ray Buller

Affiliated Business Arrangement Disclosure Statement

To: Daniel Tijerina and Lauren Tijerina Property: 29243 Enchanted Glen
 Mickey Ray Buller Boerne, TX 78015
 From: Old Republic National Title Insurance Company Date: November 4, 2022

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ePN Fee Schedule, Texas

SERVICE/DOCUMENT	FEE
------------------	-----

PROCESSING FEE

Per File Processing Fee \$35.00

RECORDING FEES

	Actual Cost Imposed by County
Per Document Recording Fee	Estimates may be used if documents are not received before the Settlement Statement is finalized

ACKNOWLEDGEMENT

I/we have read this disclosure form, and understand that Old Republic Title is referring me/us to purchase the above-described settlement service(s) and that ePN is a subsidiary of Old Republic Title.

Buyers:

 Daniel Tijerina

 Lauren Tijerina

Sellers:

 Mickey Ray Buller

Counter Signature

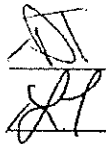
CLOSING ACKNOWLEDGMENT AND DISCLOSURE FORM (Sale/Purchase Transaction)

Date November 04, 2022
 GF: 51331NC
 PROPERTY: 29243 Enchanted Glen, Boerne, TX 78015, (the Property)
 BUYER: Daniel Tijerina and Lauren Tijerina
 SELLER: Mickey Ray Buller

By signing this affidavit, SELLER and/or BUYER acknowledges their understanding of the disclosures being made by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY (hereinafter called "OLD REPUBLIC") and affirms the representations made by them to OLD REPUBLIC as indicated below.

Buyer's
Initials

Seller's
Initials




- 1) **WAIVER OF INSPECTION.** In consideration of the issuance of an Owner's Policy of Title Insurance by OLD REPUBLIC to BUYER and subject to the Policy's terms and conditions, Buyer hereby waives any obligation on the part of OLD REPUBLIC to inspect the Property. Buyer agrees to an exception as to "RIGHTS OF PARTIES IN POSSESSION". Within the meaning of this exception, "possession" includes open acts of visible evidence of occupancy including any visible and apparent roadway or easement on or across all or any part of the Property, but this exception does not extend to any right, claim, or interest evidenced by a document recorded in the real estate records maintained by the County Clerk of the county in which the Property is located. BUYER agrees to be fully responsible for inspecting the Property to determine the rights of any party in possession and assumes full responsibility for obtaining possession from its present occupants.

However, if you do not initial this paragraph you refuse to accept an Owner's Policy of Title Insurance containing an exception as to "RIGHTS OF PARTIES IN POSSESSION". OLD REPUBLIC may require an inspection of the Property and additional charges may be assessed for the reasonable and actual costs of such an inspection. OLD REPUBLIC may make additional exceptions to title which may be included in said Owner's Policy of Title Insurance for matters revealed by such inspection.



- 2) **RECEIPT OF COMMITMENT.** BUYER acknowledges having received and reviewed a copy of the Commitment for Title Insurance issued in connection with the above referenced transaction and copies of the documents described therein, and understands that the Owner's Policy of Title Insurance issued to BUYER will contain the exceptions set forth in the Commitment, together with any additional exceptions to title resulting from the documents involved in this transaction.
- 3) **UNSURVEYED PROPERTY.** BUYER understands that an acceptable survey of the Property has not been furnished in connection with this transaction and that the Owner's Policy of Title Insurance to be issued to BUYER will not provide title insurance coverage against encroachments and/or protrusions of improvements, boundary conflicts, or other matters that would be found by a survey.



- 4) **ACCEPTANCE OF SURVEY.** BUYER has received and reviewed a copy of the survey of the Property to be used in connection with this transaction and accepts the same subject to any and all easements, encroachments, conflicts and discrepancies shown thereon. BUYER hereby releases and holds harmless TITLE COMPANY from any liability in regard to any and all survey matters. BUYER further acknowledges that TITLE COMPANY has made no representations, guarantees, or affirmations as to the sufficiency or adequacy of said survey, or the consequences of the matters shown on said survey.



- 5) **ACCEPTANCE OF PROPERTY.** BUYER accepts the Property in its present condition, acknowledges that TITLE COMPANY has not made any representations as to the condition of the Property, and releases and holds harmless TITLE COMPANY from any and all liability in regard to the condition of the Property.

- Buyer's Initials
- 6) **PRIOR YEAR TAXES PAID.** SELLER certifies all taxes for prior years have been paid in full. The undersigned SELLER further agrees to reimburse TITLE COMPANY for any and all unpaid taxes, penalties, interest and reasonable attorneys fees due to taxes being due and/or unpaid as determined by the appropriate taxing authorities. SELLER further agrees that any default in prior payment of property taxes, either current or delinquent, will on demand be promptly reimbursed by SELLER to TITLE COMPANY. Seller's Initials MB
- 7) **CLOSING DISCLAIMER.** OLD REPUBLIC does not consider the above referenced transaction completely closed until: MB
- A) All title requirements are completed to the satisfaction of OLD REPUBLIC;
 - B) All necessary documents are properly executed, reviewed and accepted by the parties to this transaction and by OLD REPUBLIC;
 - C) All funds are collected, delivered to, and accepted by the parties to this transaction and their lienholder(s), if any.
- BUYER and SELLER further recognize that OLD REPUBLIC has no obligation to defend possession of the Property, or to insure title to the Property, until such time as the requirements above have been satisfied.
- 8) **IRS REPORTING.** SELLER acknowledges having received at closing a copy of the Closing Disclosure or Settlement Statement as a Substitute Form 1099-S. In accordance with federal tax regulations, information from the Closing Disclosure or Settlement Statement will be furnished to the Internal Revenue Service. MB
- 9) **PAYOFF.** The amount due lienholder was furnished by the lienholder or its representative and is good only through the date shown thereon. Should there be any discrepancies, OLD REPUBLIC is authorized to disburse additional funds requested by the lienholder and adjust net due seller in a like amount. Should OLD REPUBLIC be requested to advance funds to correct this discrepancy, Seller agrees to reimburse OLD REPUBLIC. MB
- 10) **ATTORNEY REPRESENTATION.** BUYER may wish to consult an attorney to discuss the matters shown on Schedule B or C of the Commitment for Title Insurance that was issued in connection with this transaction. These matters will affect the title and use of the Property. The Owner's Policy of Title Insurance will be legal contract between BUYER and OLD REPUBLIC. Neither the Commitment for Title Insurance nor the Owner's Policy of Title Insurance are abstracts of title, title reports or representations of title, but rather the Commitment for Title Insurance is prepared for the benefit of OLD REPUBLIC and the Owner's Policy of Title Insurance is a contract of indemnity. No representation is made that the intended use of the Property is allowed under law or under the restrictions or exceptions affecting the Property.
- 11) **ERRORS AND OMISSIONS.** In the event that any of the documents prepared in connection with closing of this transaction contain errors which misstate or inaccurately reflect the true and correct terms, conditions and provisions of this closing, and the inaccuracy or misstatement is due to a clerical error or to a unilateral mistake on the part of OLD REPUBLIC, or to a mutual mistake on the part of OLD REPUBLIC and/or the SELLER and/or the BUYER, the undersigned agree to execute, in a timely manner, such correction documents as OLD REPUBLIC may deem necessary to remedy such inaccuracy or misstatement. MB

Buyer's
InitialsSeller's
Initials

- 6) **PRIOR YEAR TAXES PAID.** SELLER certifies all taxes for prior years have been paid in full. The undersigned SELLER further agrees to reimburse TITLE COMPANY for any and all unpaid taxes, penalties, interest and reasonable attorneys fees due to taxes being due and/or unpaid as determined by the appropriate taxing authorities. SELLER further agrees that any default in prior payment of property taxes, either current or delinquent, will on demand be promptly reimbursed by SELLER to TITLE COMPANY.

- 7) **CLOSING DISCLAIMER.** OLD REPUBLIC does not consider the above referenced transaction completely closed until:

- A) All title requirements are completed to the satisfaction of OLD REPUBLIC;
- B) All necessary documents are properly executed, reviewed and accepted by the parties to this transaction and by OLD REPUBLIC;
- C) All funds are collected, delivered to, and accepted by the parties to this transaction and their lienholder(s), if any.

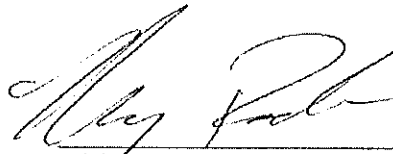
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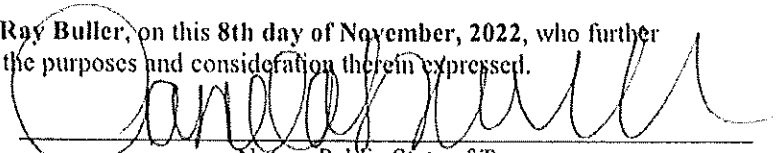
- 11) **ERRORS AND OMISSIONS.** In the event that any of the documents prepared in connection with closing of this transaction contain errors which misstate or inaccurately reflect the true and correct terms, conditions and provisions of this closing, and the inaccuracy or misstatement is due to a clerical error or to a unilateral mistake on the part of OLD REPUBLIC, or to a mutual mistake on the part of OLD REPUBLIC and/or the SELLER and/or the BUYER, the undersigned agree to execute, in a timely manner, such correction documents as OLD REPUBLIC may deem necessary to remedy such inaccuracy or misstatement.

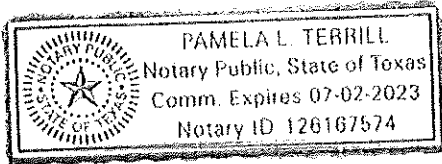

Mickey Ray Buller

STATE OF TEXAS

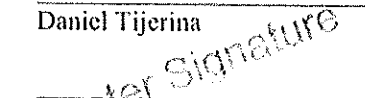
COUNTY OF BEXAR

Sworn to and subscribed before me by the said Mickey Ray Buller, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.


Notary Public State of Texas



Daniel Tijerina


Lauren Tijerina

STATE OF TEXAS

COUNTY OF BEXAR

Sworn to and subscribed before me by the said Daniel Tijerina and Lauren Tijerina, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.

Notary Public State of Texas

Mickey Ray Buller

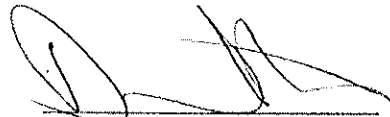
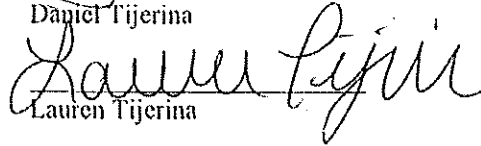
Counter Signature

STATE OF TEXAS

COUNTY OF BEXAR

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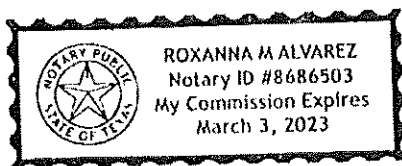
Notary Public State of Texas


Daniel Tijerina

Lauren Tijerina

STATE OF TEXAS

COUNTY OF BEXAR

Sworn to and subscribed before me by the said Daniel Tijerina and Lauren Tijerina, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.



Notary Public State of Texas




TAX PRORATION AGREEMENT

DATE November 04, 2022
 GF: 51331NC
 PROPERTY: Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair
 (the "Property") Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152
 of the Deed and Plat Records of Bexar County, Texas.

BUYER: Daniel Tijerina and Lauren Tijerina
 SELLER: Mickey Ray Buller

I/We, the Seller(s), claim that this Property has been my/our homestead since:

7/1/22

 INITIALS

If applicable, this transaction involves a Property that currently carries the following exemption(s):

- ☐ Homestead Exemption
☐ Over 65 Exemption
☐ Disability Exemption
☐ Veterans' Exemption

There are three possibilities after closing with respect to these exemption(s):

- (1) **The Seller does not move the exemption(s) to a different property.** In this case, the exemption(s) may continue until December 31st of the year in which the sale takes place. However, the county retains the right to remove these exemption(s) even if the Seller does not establish a new homestead; OR
- (2) **The Seller does move the exemption(s) to a different property.** In this case, the assessor could delete the exemption(s) for the balance of the year which could mean the remaining portion of the year is higher than the portion prior to closing; OR
- (3) **Both Buyer and Seller qualify for exemption(s).** In this case, the Buyer(s) can avoid the proration problem by applying for one or all of the exemption(s) in their own right.

Old Republic National Title Insurance Company ("ORT") is not aware of the intent of the Seller(s) with respect to a new home or their plans for the exemptions that are currently on the Property. Additionally, ORT does not know whether the Buyer(s) are entitled to the exemptions.

Therefore, in connection with the Property, the undersigned hereby give recognition to the following facts regarding ad valorem taxes:

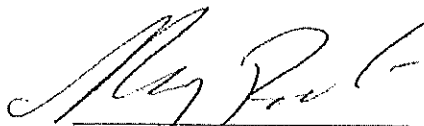
- (1) The tax figures used in the proration at closing were based on the most recent figures available, which may include only taxes for the prior year(s) or estimates using the appraised value and estimated tax rates for the current year and may not include taxes for new construction. Such estimates may include exemptions obtained by the Seller for which Buyer may not qualify, the removal of which may substantially increase the amount of the taxes payable by the Buyer. The accuracy of such taxes cannot and is not guaranteed or verified by ORT. Should the actual tax figures for the year prove to be different, resulting in the necessity for adjustment, the undersigned agree and consent to make appropriate adjustments between themselves, and ORT shall have no responsibility in this regard.
- (2) In the event that some or all of the Property is or has been subject to reduced ad valorem taxes because all or a portion of the Property has been designated for agricultural, homestead, Over 65, Disabled Veteran, or Open

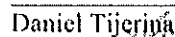
Space valuation, or as otherwise fully or partially exempt from taxation, and if the Property is subject to rollback or supplemental taxes for prior years that may be recaptured or assessed by various taxing authorities because of a change in use or ownership of the Property, the parties agree that, upon receipt of tax statements from the various taxing authorities relating to any taxes, including rollback or supplemental taxes, the parties shall promptly paid said taxes to the assessed taxes against the Property to the appropriate taxing authorities in accordance with the Contract pursuant to which this transaction has been closed.

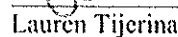
- (3) Seller recognizes their responsibility for all taxes prior to the date of closing the subject transaction. Should it develop at a later time that taxes other than those collected at closing are due for prior years, Seller agrees to make full payment to ORT for this amount.
- (4) Buyer understands that the amount being prorated for current year taxes is the best possible estimate available at the time of closing and recognizes their responsibility for current year taxes. Further, Buyer understands it is their responsibility to notify the appraisal district of the change in ownership of the subject property.

GROSS TAX FIGURES

City:	\$0.00
State and County:	\$5,868.25
School:	\$6,446.71
Other:	\$0.00
Other:	\$0.00
	\$0.00


Mickey Ray Buller


Daniel Tijerina


Lauren Tijerina

Space valuation, or as otherwise fully or partially exempt from taxation, and if the Property is subject to rollback or supplemental taxes for prior years that may be recaptured or assessed by various taxing authorities because of a change in use or ownership of the Property, the parties agree that, upon receipt of tax statements from the various taxing authorities relating to any taxes, including rollback or supplemental taxes, the parties shall promptly paid said taxes to the assessed taxes against the Property to the appropriate taxing authorities in accordance with the Contract pursuant to which this transaction has been closed.

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Other:	\$0.00
Other:	\$0.00
	\$0.00

Counter Signature
 Mickey Ray Buller

[Signature]
 Daniel Tijerina
[Signature]
 Lauren Tijerina

- c. A Special Use Permit (S) is allowed **only if approved by City Council** in accordance the standards found in Section 3.7.
- d. Not Permitted (NP)
- (2) For uses not listed, the City Manager shall use the descriptions found in Appendix B: Definitions to determine how an unlisted use should be treated. The City Manager shall produce an administrative policy for addressing unlisted uses, consistent with all other provisions of this UDC, either allowing for administrative decisions by the City Manager or requiring legislative action by the City Council, or a combination of both the above, depending on the circumstance.

Table 4.2: Use Table

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Retail Sales or Service <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales)	P/C	NP	NP	NP	NP	NP	NP	NP
Bars	S	S	NP	NP	NP	NP	NP	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u>	P	P	NP	P	NP	NP	NP	NP
Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)	P	P	NP	P	NP	NP	NP	NP
Entertainment, theater, cinema, or music venue	P/C	NP	NP	P/C	NP	NP	NP	NP
Sexually Oriented Business	NP	NP	NP	P	NP	NP	NP	NP
Commercial/ Office <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Commercial/ Office <u>with drive through facility</u>	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service	P	NP	NP	P	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	NP	NP	NP	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Business associations and professional membership organizations	P	P	P	P	NP	NP	NP	NP
Childcare, day care, and preschools	P/C	P/C	P/C	NP	NP	NP	NP	NP
Family home child care	P/C	P/C	P/C	NP	S	S	S	NP
Schools, libraries, and community/civic facilities	P	NP	P	NP	NP	NP	NP	NP
Religious Institutions	NP	NP	P	P	NP	NP	NP	NP
Universities and Colleges and Technical, trade, and specialty schools	P	NP	P	P	NP	NP	NP	NP
Hospitals and nursing establishments	P	NP	P	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	NP	NP	NP	NP
Transitional Housing	S	S	S	S	S	S	S	NP
Community or Group Homes	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Funeral homes	P/C	NP	NP	NP	NP	NP	NP	NP
Single Family Residential	P	NP	P	NP	P	P	P	NP
Accessory Building Residential Unit (Garage Apt.)	P	P	P	P	P	P	P	NP
Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)	P	P	P	P	P/C	NP	NP	NP
Multi-family Residential	P	NP	NP	NP	NP	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	NP
Manufactured Housing	NP	NP	NP	P/C	NP	NP	NP	NP
Auto and Vehicle Related Sales and Service Establishment	NP	NP	NP	P/C	NP	NP	NP	NP
Brewery, Distillery, or Winery	NP	NP	NP	P	NP	NP	NP	NP
Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)	P	NP	NP	P	NP	NP	NP	NP
Commercial food, textile and product manufacturing	NP	NP	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	NP	NP	NP	P	NP	NP	NP	NP
Warehouse and Self-Storage	NP	NP	NP	P/C	NP	NP	NP	NP
Climate Controlled Self-Storage	P/C	NP	NP	P/C	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	S	S	S	S	S	S	S	NP
Utility Facilities (electric, natural gas, alternative)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Hotel (45 or fewer rooms)	P	NP	NP	NP	NP	NP	NP	NP
Hotels (more than 45 rooms)	P	NP	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer guest rooms)	P	P/C	P	P/C	P/C	P/C	P/C	NP
Parking, structured	P	NP	NP	NP	NP	NP	NP	NP
Veterinary Services	P	NP	NP	P	NP	NP	NP	NP
Commercial Stables/Boarding	NP	NP	S	S	S	S	S	NP

¹ Open Spaces are reserved for active or passive recreation, and for the preservation of land in its natural state. Building on, or modification of, land in Open Space districts is generally prohibited except where incidental to a larger purpose of preserving and enhancing Open Space areas; or, where necessary for public health and safety purposes. The only exception is the category in Table 4.2 described as “Parks, greens, plazas, squares, and playgrounds.” These uses are allowed in Open Space districts, provided that vertical construction is kept to a minimum and, in the opinion of the City Manager, the primary purpose of the land use is not to provide for activity intended for other districts nor to otherwise circumvent this provision and the intent of this zoning UDC and the Comprehensive Plan of Fair Oaks Ranch.

Section 4.10 Conditional Uses

(1) Retail Sales or Service with Drive Through Facility

Retail Service with drive through facility will be governed by design guidelines promulgated by the City or by a design UDC. Until such guidelines are adopted, an applicant will develop plans consistent with the comprehensive plan and submit them to the City for approval by the City Manager (or designee), with appeal to the Zoning Board of Adjustment.

Exhibit Property Owner Response MAP

29243
Enchanted Glen,
Fair Oaks Ranch, Texas

- Respondent (For) - 0
- Respondent (Against) - 15
- Subject Property
- Notification Area
- City Limits

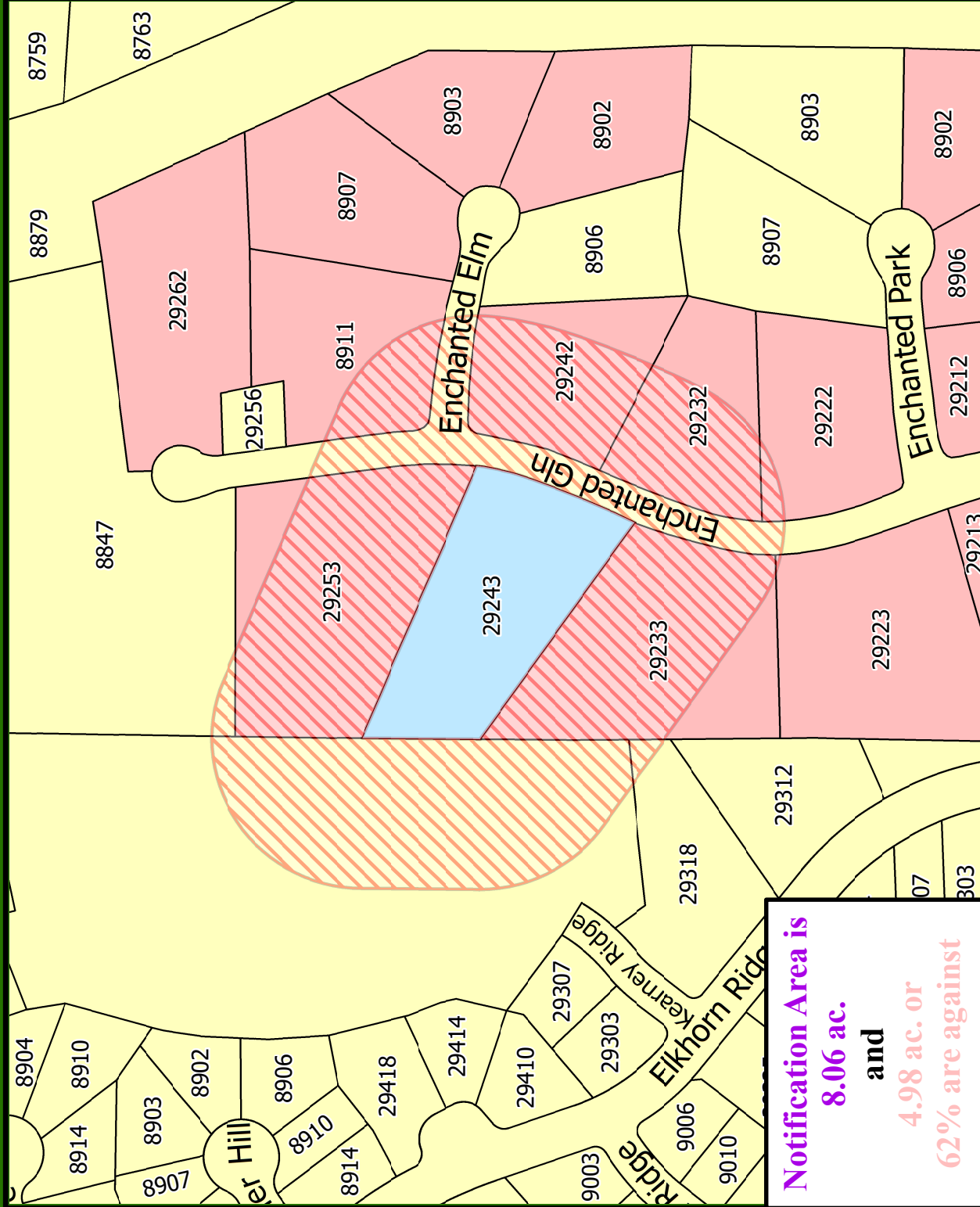


February 2023



1" ≈ 200'

Attachment #5



Notification Area is
8.06 ac.
and
4.98 ac. or
62% are against

Disclaimer - The City of Fair Oaks Ranch (COFOR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COFOR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from public records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COFOR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

Item #7.

Public Comment Form



210-698-0900 (office)
(RETURN THIS FORM TO)
City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-3565 (fax)

RE: (Rezoning No. 2023-02-09)

This form may be used for the purpose of expressing your opinion on the proposed Rezoning request. Please complete the form below and return it to the City of Fair Oaks Ranch Engineering Department prior to the Joint Public Hearing date referenced below and in your property owner notification.

The Joint Public Hearing will be held in the Public Safety Training Room of the Police Station located at 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015 on Thursday, February 9, 2023 at 6:30 p.m.

_____ I am **FOR** the Rezoning request as explained on the attached public notice for Rezoning No. 2023-02-09

☒ I am **AGAINST** the Rezoning request as explained on the attached public notice for Rezoning No. 2023-02-09

(PLEASE PRINT)

All comments forms **MUST** be returned to the City prior to **February 9, 2023**. If you would like your comments to be posted in the agenda, comments must be received before **February 1, 2023**, however, we will still take comments up until the Joint Public Hearing on **February 9, 2023**.

Name: Kirk Rantz
Address: 8911 Enchanted Elm
Signature: [Signature]
Date: 1-18-23

Comments:

IN the Subdivision Restrictions AZPSZ COVENANTS
NO PROFESSIONAL BUSINESS OR COMMERCIAL ACTIVITY

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015



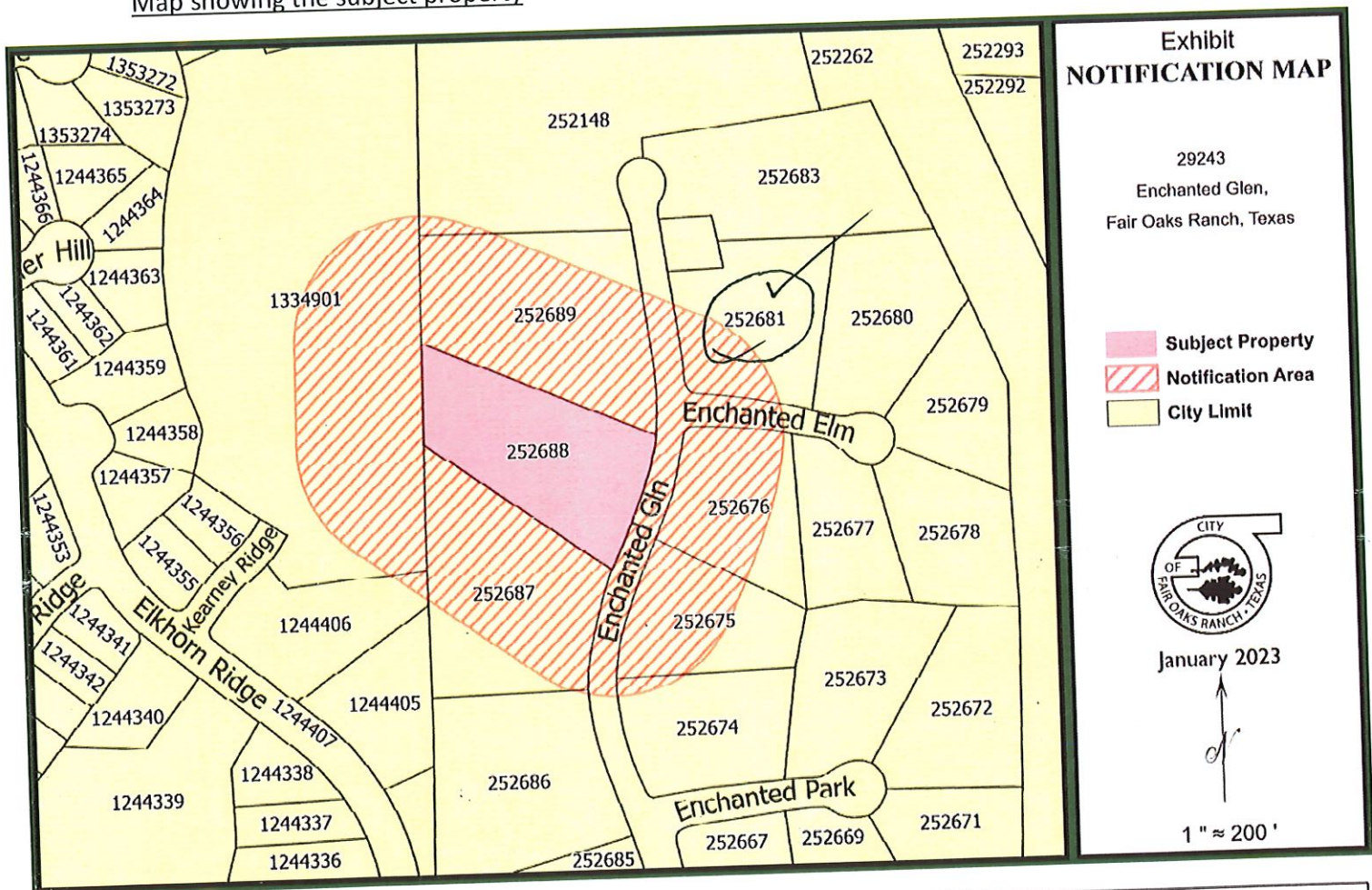
210-698-0900 (office)

www.fairoaksranchtx.org

210-698-3565 (fax)

*TO WHICH THE GENERAL PUBLIC INVITE SHALL BE
CONDUCTED ON ANY LOT!
UNLESS EVERYONE IN SUBDIVISION SIGNS
OFF.*

Map showing the subject property



Disclaimer - The City of Fair Oaks Ranch (COFOR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COFOR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from public records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COFOR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

Property Owner Comment Form

(RETURN THIS FORM TO)

City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

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Name:

Stephanie Rents

Address:

8911 Enchanted Elm Boerne, TX 78015

Signature:



Date:

1-26-23

Comments:

The restrictions say "No Businesses" in this neighborhood.

This is a small family neighborhood.

Public Comment Form



210-698-0900 (office)
(RETURN THIS FORM TO)
City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-3565 (fax)

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Name:

Tracey Black

Address:

8903 Enchanted Elm

Signature:

Tracey Black

Date:

1/18/2023

Comments:

I just bought my home in May 2021. I bought here for the small community to be away from the hubbub of daily stresses. Once I pull into our neighborhood Enchanted Oaks all stresses leave and I am home, safe, quiet. I am concerned for the value of my home should a rezoning occur. I am also

concerned about the amount of traffic, cars and people I would then have to navigate through every day morning and evening. I am against any of this rezoning request.

Public Comment Form



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7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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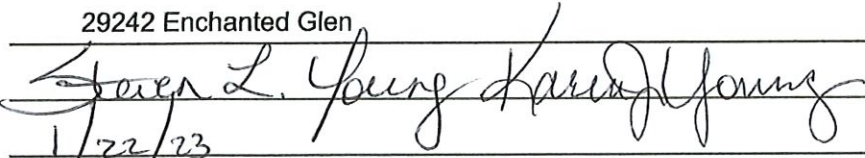
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Name: Steven L and Karen J Young

Address: 29242 Enchanted Glen

Signature: 

Date: 1/22/23

Comments: We are opposed to the request due to the fact it will increase traffic,

potentially negatively affect our property value and encroach on our

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

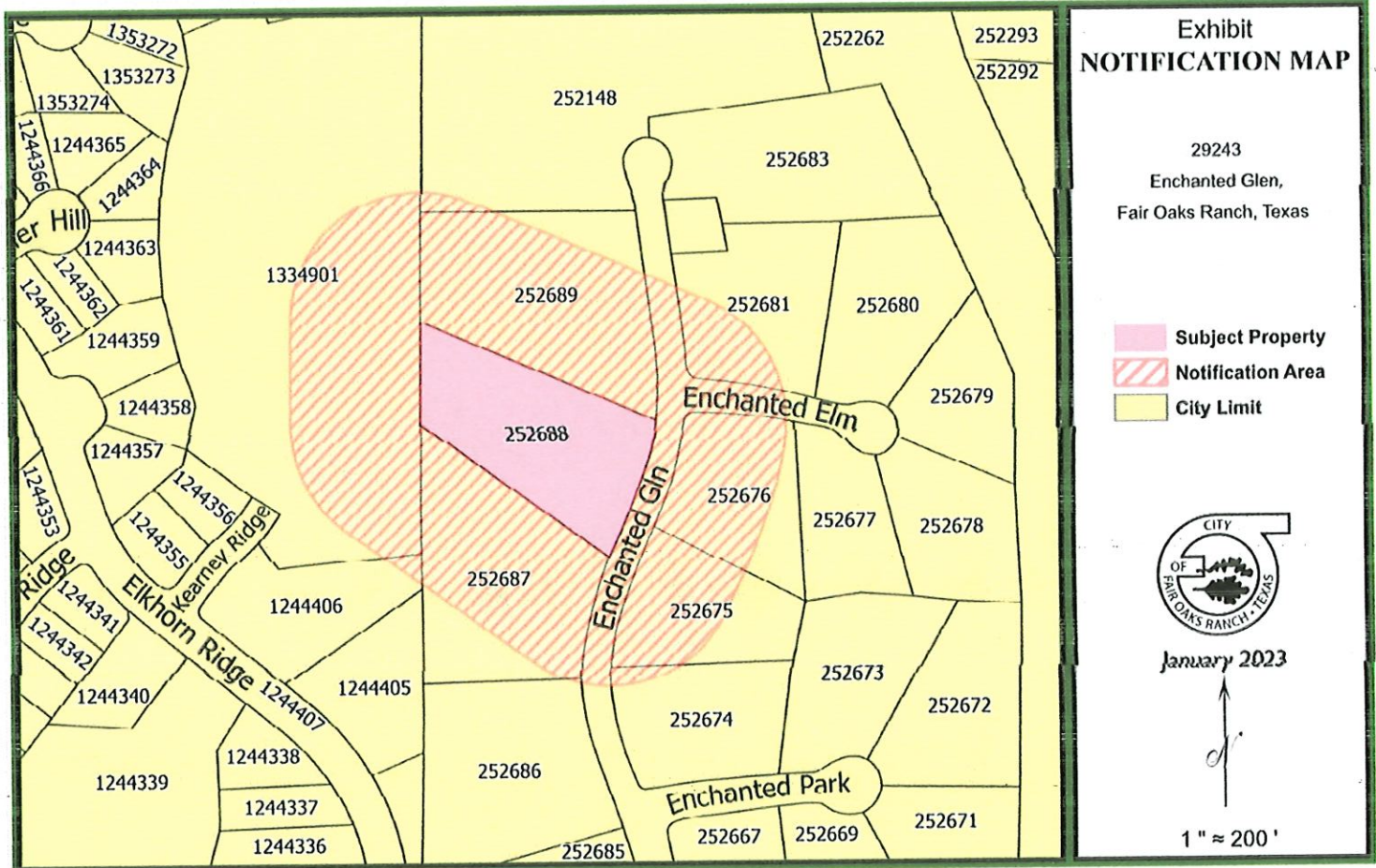
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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210-698-3565 (fax)

private enjoyment of our property. In addition the deed restrictions and
covenants of our property strictly prohibit commercial businesses open to
the public.

Map showing the subject property



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Steven L. and Karen J. Young
29242 Enchanted Glen
Fair Oaks Ranch, TX 78015

January 21, 2023

RE: Rezoning No. 2023-02-10

Dear Distinguished Council and Zoning Commissions Members:

We are writing to you to provide more context to our opposition to the rezoning request noted above that would allow the owners of 29243 Enchanted Glen to open a licensed day care facility with up to 40 children.

We moved to Fair Oaks Ranch three years ago after saving for over 30 years to purchase our dream home. We had longed for years to move out of San Antonio to get away from the traffic, noise and crime and enjoy our retirement years in a nice, quiet, close knit neighborhood. We found exactly what we had been dreaming of in Enchanted Oaks and Fair Oaks Ranch.

Since we purchased our property, we have invested several more thousand dollars in various upgrades and improvements since we planned to live the rest of our lives here. We enjoy quiet walks in the mornings, enjoy visiting with our neighbors and the leisurely way of living. We are sure the majority of the families living in Fair Oaks Ranch moved here for the same reasons.

The proposed rezoning request would bring everything we worked so hard for the last thirty years to get away from directly to our doorstep. No more quiet morning walks. We will be dodging traffic from the parents dropping off and picking up their kids. No more feeling safe as numerous strangers will be coming and going right across the street. No more enjoying the serenity of our pool (which is visible from the subject property).

We are also concerned about the negative impact on our property value. Numerous studies have shown that once commercial businesses are allowed in an established neighborhood property values can drop up to 15%. In addition, there is also a potential domino effect. If this request is approved there will undoubtedly be others and they could be across the street from your home. We don't think this is something that any of us want to happen.

We have spoken to all our neighbors and they are all in agreement that we must not allow this to happen and destroy our beautiful quite neighborhood.

It is our hope that the City Council Members and members of the Zoning Commission of the City of Fair Oaks Ranch will try to imagine if this were your neighborhood and deny the proposed rezoning request.

Sincerely,

Steven L. and Karen J. Young

Handwritten signatures of Steven L. Young and Karen J. Young in black ink.

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-0900 (office)

210-698-3565 (fax)

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7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

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Name: Louis & June Voelcker
Address: 29212 Enchanted Glen
Signature: Louis Voelcker June Voelcker
Date: 01/18/23

Comments:

will cause Traffic Problems, Parking Problems

Lampe lot

Public Comment Form



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Name:

Kay and Paul Lampe (252687)

Address:

29233 Enchanted Glen, FOR, TX 78015

Signature:

Ol 2 Lampe

Date:

1-18-2023

Comments:

1. Property Value Decreased
2. Increased Traffic to our quiet neighborhood

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

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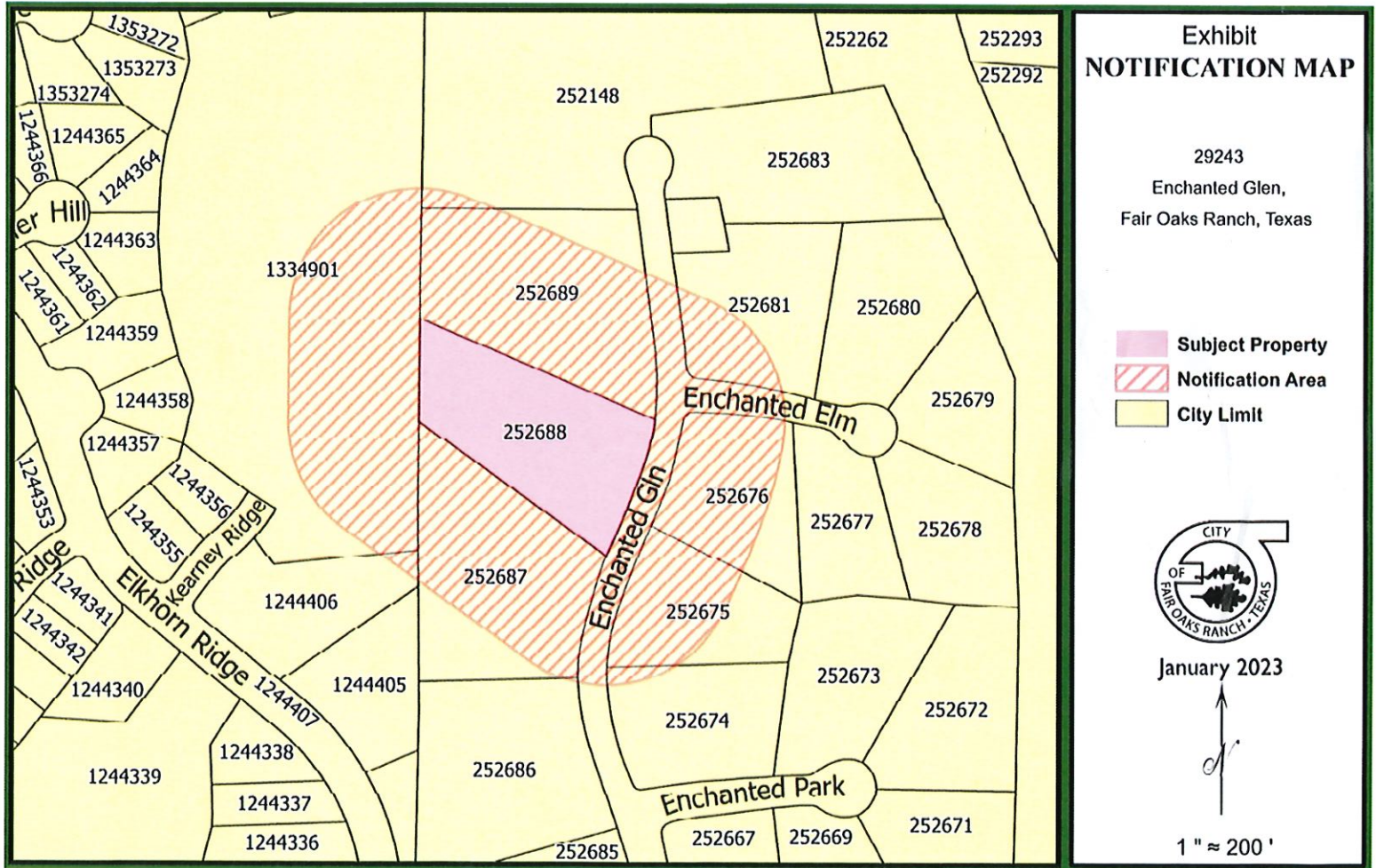
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3. Increased Liability Due to extra cars and Children in our neighborhood
4. Opens the door for other zoning changes
5. We want our neighborhood to remain residential only.
6. Additionally not allowed by our deed restrictions for Enchanted Oaks

Map showing the subject property



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Name: Carl J. McClure
Address: 8902 Enchanted Park, Fair Oaks Ranch, TX. 78015-4912
Signature: Carl J. McClure
Date: 1-20-23

Comments:

If this were allowed, what would keep other Businesses
from invading other residential areas?

Property Owner Comment Form

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Name: Olivia L Hudson
Address: 29223 Enchanted Cdn
Signature: Olivia L Hudson
Date: 1/23/23

Comments:

Per neighborhood bylaws, No commercial business allowed.
Will significantly increase traffic into what is currently a small, quiet subdivision.
Also, set precedent for future FOR residents to seek commercial status thus increasing chance of property values dropping.

Public Comment Form



CITY OF FAIR OAKS RANCH

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Name:

KEVIN & KAMI FIEDLER

Address:

29262 ENCHANTED GLEN

Signature:

[Handwritten Signature]

Date:

1/26/2023

Comments:

The neighborhood covenants clearly say no businesses are allowed.

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

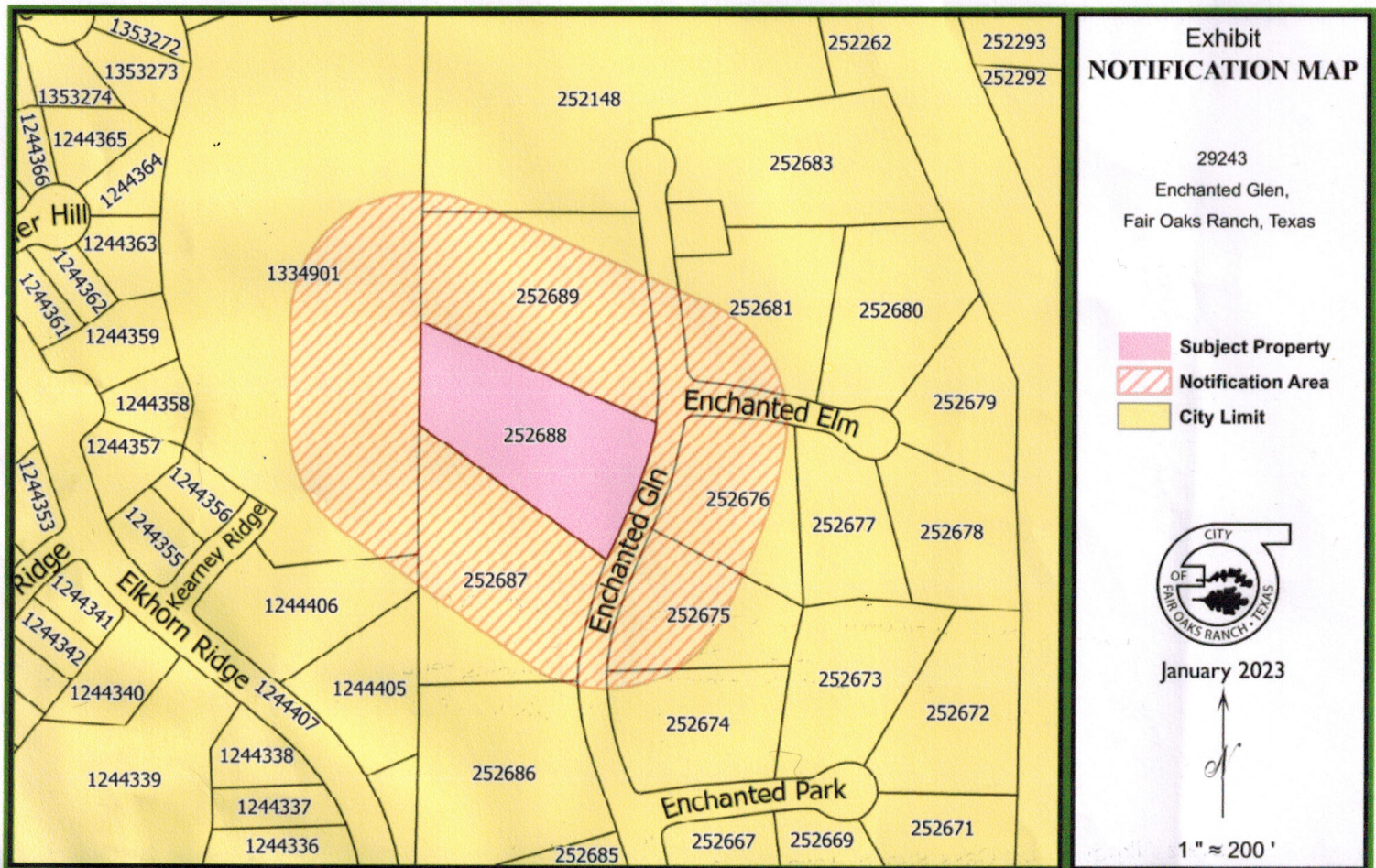
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The neighborhood has no through streets. Very walkable now. - We don't want additional traffic. Traffic will turn around in cul-de-sac in front of my house.

Map showing the subject property



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Name: Electa Fairchild
Address: 29222 Enchanted Glen
Signature: Electa Fairchild
Date: 30 January 2023

Comments:

I request that the Fair Oaks Ranch Zoning and planning Commission and the City Council consider the following ten points when making a determination on rezoning 29243 Enchanted Glen.

1. Although the City of Fair Oaks Ranch Final Unified Development Code (14.10.8) does not prohibit Child Care Centers on residential lots within residential areas if they are zoned Community Facilities, seemingly only four and a half years ago that was not allowed. Considering the State of Texas Child Care Regulations revised 1/13/2023 (see 5. below for an example) the outdated Fair Oaks Ranch zoning ordinances seem to be more appropriate for this community.

CITY OF FAIR OAKS RANCH Zoning Ordinance – Effective June 14, 2018, page 39:
Section 14.05.003.i.3.B “Group Day Care Home...Separation: **Group Day Care home care may not be located in residentially zoned areas.**” (I have added the bold type.)

Section 14.05.003.i.4.B Day Care Center...”Separation: **Day Care Centers may not be located in residentially zoned areas.**” (I have added the bold type.)

2. Enchanted Oaks Bexar County Unit I, Amended Restrictions, Filed with Bexar County June 12, 1985:

“A. Covenants and Restrictions...2. **No professional business or commercial activity to which the general public is invited shall be conducted on any Lot...**” (I have added the bold type.)

3. City of Fair Oaks Ranch Zoning Map (Date of Update 6/4/2020) does not show any Community Facilities (CF) in residential lot areas/areas originally zoned as residential lots. Google does not list any child care centers on residential lots in Fair Oaks Ranch.

4. Once rezoned as Community Facilities (CF) this property could transfer to other P/PC (permitted, permitted with conditions) uses such as a fitness, gym (Gold’s Gym?), church, college, hospital, public or private school, etc. which could bring even more traffic and disruption into our residential neighborhood.

5. The State of Texas regulates the operation of Child Care Centers (*Minimum Standards for Child-Care Centers, Texas Health and Human Services Commission, October 2021, Revised: 1/13/2023, §746.4201. Subchapter T, Physical Facilities, Division 2, Indoor Space Requirements*
How many square feet of indoor activity space must I have for children?
Subchapter T, Physical Facilities Division 1, Indoor Space Requirements September 2003
You must have at least 30 square feet of indoor activity space for each child that you are licensed to serve, unless the child-care center is exempt based on criteria specified in this division.
§746.4213. How does Licensing determine the indoor activity space?
Subchapter T, Physical Facilities Division 1, Indoor Space Requirements April 2017
(a)We determine indoor activity space by:
(1)Measuring all indoor activity space wall to wall on the inside at floor level; (2)Rounding all measurements up to the nearest inch; and
(3)Excluding single-use areas, which are areas not routinely used for children's activities, such as a bathroom, hallway, storage room, cooking area of a kitchen, swimming pool, and storage building; Revised: 1/13/2023
(4)Excluding floor space occupied by permanent and stationary fixtures, such as bookcases, shelving, and storage/counter space, that is not intended for use by the children.)

With these regulations in mind, the almost 3000 square feet residence (including house and garage) at 29243 Enchanted Glen could have around 2000 square feet of space (to be determined by the State of Texas) for children under care. The state allows 1 child per 30 square feet of “indoor activity space”. Potentially 66 children could be cared for in this facility. Should the building be expanded in the future or more space be freed up, it could serve additional children.

6. Enchanted Glen is not a wide street and does not have sidewalks on either side of the street. The east side of the roadway has an open drainage ditch from Dietz Elkhorn to past

Enchanted Elm. The additional traffic would pose a safety problem for both drivers and walkers especially when cars are parked along Enchanted Glen.

7. The Dietz Elkhorn-Enchanted Glen intersection is very busy with Van Raub Elementary School traffic at school start and ending times. These times could well overlap with times parents would be driving to and from the child care center creating a further bottleneck on Dietz Elkhorn.

8. When Enchanted Oaks was forcibly annexed into the city of Fair Oaks Ranch, several public meetings were held. A frequently mentioned positive from those who were already members of the community and the council was that this would prevent Bexar County from allowing something detrimental to Fair Oaks Ranch and Enchanted Oaks from happening in our neighborhood. Those Fair Oaks Ranch residents expressed worries about their property values and the potential decline of Fair Oaks Ranch if left to the devices/lack of zoning and planning of Bexar County. Our Bexar County registered CC&Rs/deed restrictions would probably have prevented a child care center from being located in Enchanted Oaks.

9. If this child care center is allowed in our residential neighborhood, nothing should stop child care centers from being introduced into every Fair Oaks Ranch neighborhood. If future rezoning requests in other neighborhoods were to be rejected, what would that say to Enchanted Oaks residents about our place in this community?

10. This one day care center (or whatever in the future should materialize on a once residential lot if it is rezoned to Community Facilities) may not have an immediate negative impact to the rest of Fair Oaks Ranch. The increased traffic of up to 66 parents driving to and from the child care center plus commercial vehicles making deliveries will cause Enchanted Oaks residents daily stress from noise and traffic and will undoubtedly lower our home values. The Fair Oaks Ranch requirement of 1 parking space per 200 square feet of usable building area (Unified Development Code, City of Fair Oaks Ranch, page 101) will probably require the removal of a residential-looking front yard and replace it with unsightly pavement. I believe that it is incumbent upon The City of Fair Oaks Ranch to side with the 19 residents of this community who purchased homes with restrictive covenants believing it provided protection from having a Community Facility (CE) within our small neighborhood.

Public Comment Form



CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015



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Name: MICHAEL & VICTORIA REYES
Address: 8906 ENCHANTED PARK
Signature: [Signature]
Date: _____

Comments: THERE ARE PLACES FOR THIS TYPE OF BUSINESS ELSEWHERE. LIKE ACTUAL BUSINESS STRIPS.

Public Comment Form



210-698-0900 (office)

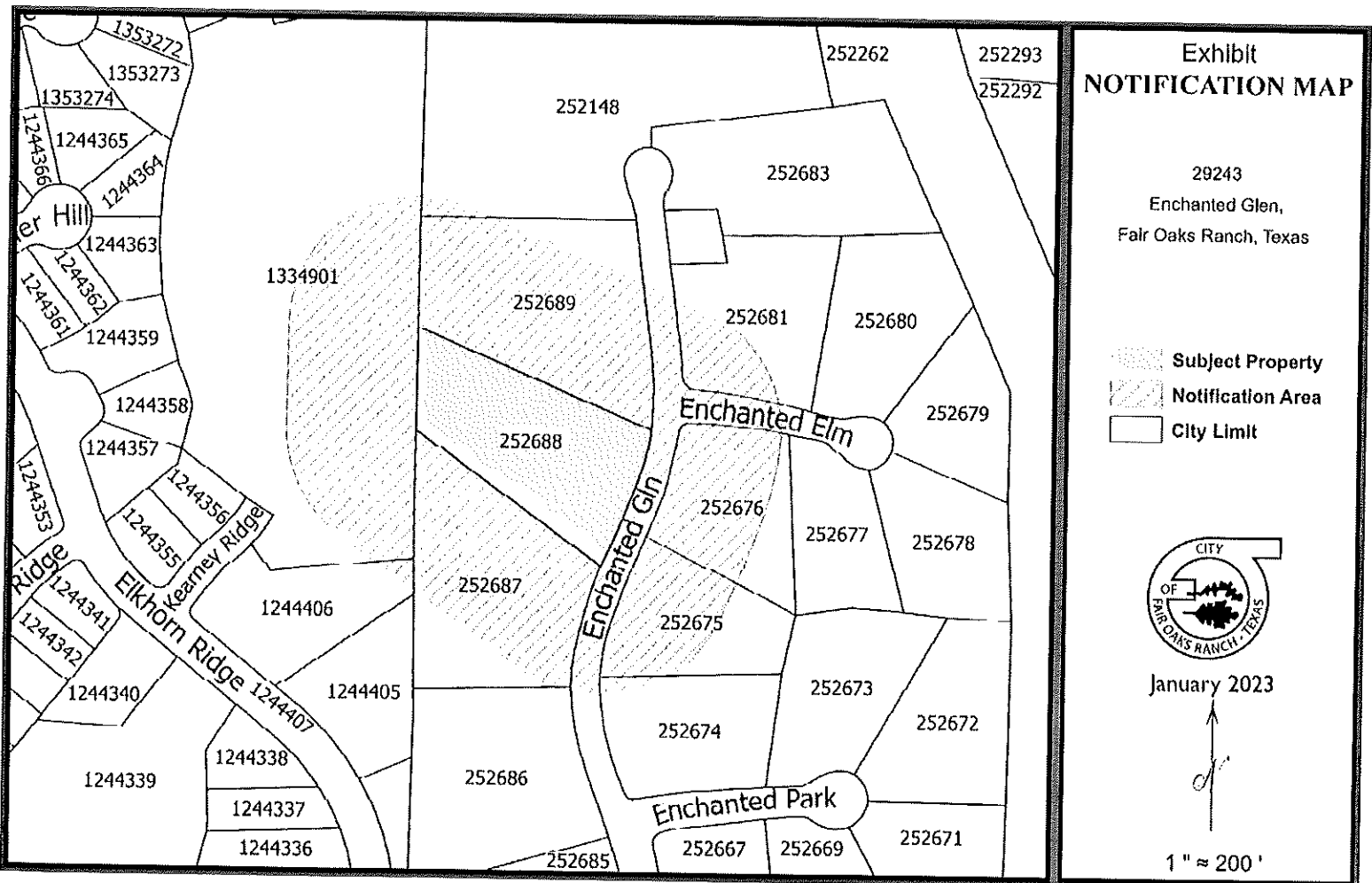
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IT IS CLEAR THAT THE PRESTIGE AND HONOR OF
FAIR OAKS IS DESTROYED BY CITY COUNCIL DECISIONS.

Map showing the subject property



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City council member: A position in a local government where a person is elected to REPRESENT the citizens of their city or town.

By passing a rezoning you are not representing me as a citizen or the multitude of other citizens that are OPPOSED to this rezoning.

??So it is not a decision based off the majority of citizens wants but what 1 person wants?? 30 against rezoning 2 for, we (you)decided to go with the minority even though it violates the majority. That does not make sense and that is not good stewardship of your position.

A city council member is an elected official in a city or town. They are responsible for making decisions that affect the community as a whole.

This affects all of Fair Oaks and if you love this idea put it in your subdivision.

WAIT

If you do not want this BUSINESS right next door to you in YOUR SUBDIVISION then you should not rezone this property.

Be a good steward of your position.

Michael Reyes
Citizen of Fair Oaks Ranch

Public Comment Form



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_____ I am **FOR** the Rezoning request as explained on the attached public notice for Rezoning No. 2023-02-09

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(PLEASE PRINT)

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Name: Floyd and Erica Holder _____
Address: 29232 Enchanted Glen _____
Signature: *Floyd Holder* *Erica Holder* _____
Date: 01/29/2023 _____

Comments:

Enchanted Oaks is a small subdivision with only 22 homes located on 3 cul-de-sac streets. The beauty of this neighborhood is that all of the residents here know each other well and make up a wonderful residential community. Because this is a small neighborhood with no through traffic, residents gather just a few yards down the street from the subject property for a neighborhood picnic each year. Almost all of the families in the neighborhood have children well past the daycare age and would not benefit at all from this proposed rezoning. Bringing commercial ventures into this residential area will forever damage this quiet community.

Public Comment Form

**CITY OF FAIR OAKS RANCH****7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015**

210-698-0900 (office)

www.fairoaksranchtx.org

210-698-3565 (fax)

I understand this request is to rezone as a 'community facility', but this is nothing less than a commercial venture. This rezoning has been sought by someone who has no intention of living in the home and who does not even reside in Fair Oaks Ranch or even within the Boerne ISD. Mrs. Tijerina is not a member of this community and has purchased this home solely for the purpose of undertaking a business venture that will decrease property values and degrade an established residential neighborhood.

There is only one entry point for this neighborhood which means there are very few cars on these streets on a daily basis. Residents of this neighborhood are regularly able to enjoy walking at all hours of the morning or evening without concern for traffic. A commercial venture that is open to the public who will drive these streets at least twice per day will more than double the current traffic on these streets. While a commercial daycare may seem to be a quiet neighbor, 30 or so parents dropping off and later picking up children added with traffic for employees of the business and deliveries will overwhelm this small neighborhood. This will surely cause serious backups at the stop sign exiting the neighborhood to Dietz Elkhorn as that point is directly across the street from Van Raub Elementary.

I have searched and have not found any other business situated in the middle of a residential neighborhood in Fair Oaks Ranch. Based on the city's zoning maps, other properties that are zoned as community facilities are large tracts encompassing city buildings, schools or churches all of which are located on major thoroughfares, not in the middle of a neighborhood. This city has been carefully planned to be a largely residential community with only a few commercial businesses in select areas. There is no compelling reason to begin rezoning residential areas when there are currently other commercial properties available for sale and lease in the area. There are several large multi-use developments being built along IH-10 near the city and one approximately 2 miles from the entrance of the Enchanted Oaks subdivision. Surely these are better prospects for a commercial daycare. These are the appropriate places that have already been planned by the city and developers. To allow a commercial venture, no matter how 'family friendly', to encroach in the middle of a neighborhood that does not need or want such an establishment would set a dangerous precedent for the city and jeopardize home values.

Public Comment Form



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 Engineering Department
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 Fair Oaks Ranch, Texas 78015

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 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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Name: Theodor & Debra Lechner
 Address: 29253 Enchanted Glen
 Signature: Theodor Lechner
 Date: 2-1-2023

Comments:

Please see Comments attached,

Theodor & Debra Lechner
 29253 Enchanted Glen
 Fair Oaks Ranch Tx, 78015

We are **against** the Rezoning request No. 2023-02-09 filed by Lauren and Daniel Tijerina for property 29243 Enchanted Glen, Fair Oaks Ranch, Tx 78015 to a Community Facility

The request for rezoning is to open a Commercial Business (Community Center) in a currently established Residential Neighborhood since 1985. The request is to Operate a licensed childcare center at this address from 7AM-6PM.

As Stated in their Application, Mr. & Mrs. Tijerina, no one will live at this address since it will be used exclusively as business.

Mr. & Mrs. Tijerina currently reside at their home, 8023 Platinum Ct, Boerne Tx, in Bexar County not located in Fair Oaks Ranch

This request would add these concerns to our Residential neighborhood.

1) Safety

- a. Additional traffic coming in and out of the Enchanted Oaks neighborhood to drop off and pick up Children, in a non-School Zone.
- b. No parking spaces available for Children getting dropped off and picked up as they get in and out of vehicles.
 - Customers would have to park on the street causing traffic congestion, since there is a Brick Fence along the front of the property
 - Teachers and Staff Parking availability
- c. Parking at Enchanted Oaks Entrance already presents Safety issues due to Van Raub School drop off and pick up.
- d. Safety concerns for Neighbors walking the neighborhood
- e. The property has a large culvert on one side of property for water drainage. It also has a large drainage easement across the back of the property causing concern for the welfare of Children.

- 2) The reduction of Property value for the current Neighborhood by allowing a Commercial business to open in a Residential Area, due to safety, traffic, noise, etc
- 3) Additional Road Maintenance would be needed to support the increased traffic

Additional Facts to Consider

1. Enchanted Oaks Subdivision is a Residential Neighborhood since 1985 that has 20 Homes,
2. We built our home in Enchanted Oaks Subdivision in 1994 and have lived here for 29 Years,

3. Enchanted Oaks Subdivision was Annexed into the city of Fair Oaks Ranch in 2017 and we are now part of the Fair Oaks Ranch community.
4. Enchanted Oaks has on File with Bexar County Court House the Covenants and Restrictions for the Enchanted Oaks Subdivision, filed on 6-12-1985
 - a. Section 2- Business Use:
 - i. **"No professional business or commercial activity to which the general public is invited shall be conducted on any lot"**
5. Enchanted Oaks water company is a privately held water system designed and structured to Service Enchanted Oaks Subdivision and not designed to handle Commercial Business.
 - a. Mrs. and Mr. Tijerina have already Paid for Water service with a company Check from Lasting Learners Academy identifying the property for Commercial use,
6. Septic tank concerns-
 - a. Environmental protection Agency (EPA) records has this Septic tank licensed for Residential use and not Commercial use.
 - i. Septic tank Installed in 1988
 - ii. Septic Tank Failed in 2003 – additional Lines had to be added to support current Residential use and not commercial usage.
 1. Septic Permit numbers, 19880669- 1988 and 20030578- 2003

In Closing

We strongly encourage and ask that the Fair Oaks Ranch City Council does not approve this rezoning request. This request for allowing a **for Profit** Commercial Business in a Residential Subdivision should not be set forth. The concern for future such rezoning requests and the impact it would have for Enchanted Oaks subdivision and the Fair Oaks Ranch quality of life.

Fair Oaks Ranch Mission Statement and Priorities:

To deliver exceptional public services, preserve the natural beauty of our city, protect, and promote **quality of life**, and foster community engagement.

Fair Oaks Ranch Priorities:

Take no action that would materially affect the **quality of life** in any fashion detrimental to the continuance and enhancement of conditions existing at the time the City was incorporated.

Thank you for Engaging the Community and allowing us to share our voice

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015



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(RETURN THIS FORM TO)

City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

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Name:

Clint & Chrystal Langford

Address:

8907 Enchanted Elm

Signature:

Chrystal Langford

Date:

1.27.2023

Comments:

Katherine Schweitzer

From: Chrystal Lee Langford <cbl26@hotmail.com>
Sent: Tuesday, January 31, 2023 1:39 PM
To: Katherine Schweitzer
Subject: Rezoning No 2023-02-10
Attachments: Public Comment Form.pdf

To whom it may concern...

Listed below are our comments and opposition for the rezoning being proposed in our neighborhood.

I have also attached our completed Public Comment Form.

Thank you for your time.

Sincerely,

Chrystal Langford

In regards to rezoning no. 2023-02-10: Our family purchased our home in Enchanted Oaks a few years ago with the hopes of raising our 3 young boys in a quiet and safe neighborhood. We are highly opposed to any property within our neighborhood being rezoned to use commercially. As stated in our deed restrictions, "The Lots in Enchanted Oaks Subdivision shall be described as single family residential lots." We believe these deed restrictions were established to protect the use of the properties as personal residences, protect the value of the properties in the neighborhood, and limit traffic into the neighborhood. If we allow this re-zoning to move forward, what precedent does this set for the future of our neighborhoods in the city of Fair Oaks? The City of Fair Oaks has always been set apart with a special charm that I hope we can all continue to work together in preserving, understanding that with growth will come the need for additional commercial services which should be established in areas not zoned for residential use.

Total Control Panel[Login](#)

To: kschweitzer@fairoaksranchtx.org

From: cbl26@hotmail.com

Message Score: 30

My Spam Blocking Level: Custom

High (60): **Pass**

Medium (75): **Pass**

Low (90): **Pass**

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Name:

Robert Lee

Address:

8902 Enchanted Elm FOL 78015

Signature:

[Signature]

Date:

1/29/23

Comments:

I am against this rezoning request.
Our neighborhood was not designed to include

[illegible]

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Name:

Address:

Signature:

Date:

Comments:

see attached

FROM THE DESK OF

Robert and Kathy Lee

January 31, 2023

Robert and Kathy Lee
30 year property owner
Enchanted Oaks Subdivision
Fair Oaks Ranch, Texas

RE: (Rezoning No. 2023-02-09)

Dear City of Fair Oaks Ranch,

This letter is an attachment to the Public Comment Form, City of Fair Oaks Ranch.

Comments:

We are against the rezoning request as explained on the attached public notice for Rezoning No. 2023 02-09. This is a very small neighborhood (under 18 lots) and not designed for commercial traffic or public school traffic. Rezoning for a commercial business would further impact this small subdivision and negatively effect the quality of life as well as allowing us to carry on daily lives and trying to get our family to and from work (our lively hood) and school. This would also decrease property value and the appeal of the 30 + yr Enchanted Oaks Community. The families of Enchanted Oaks are a close community. Several public comments have referenced other areas and the destruction and devastation that has taken place from the approval of businesses such as this proposal and the serious effects as a result.

This Rezoning No. 2023 02-09 would only further be a means that would detain us from getting to our work place and home in the evenings. Since the building of Van Raub Elementary our neighborhood, neighbors, friends and family are often displaced or greatly detained due to the public elementary school traffic. In the afternoon we as residents have waited over 20 minutes to enter our subdivision and homes all with in less than being 50' away from our subdivision entrance. The school traffic parks in our small neighborhood for various events and has blocked driveways and property on numerous occasions and we are awaiting for an adjustment and law enforcement to police this area during arrival, dismissal and special evening events in order that may we reach our homes.

Thank you for declining the request to further disrupt an already challenging situation.

Sincerely yours,
Robert and Kathy Lee
30 year property Enchanted Oaks Subdivision

Public Comment Form



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Name: Robert and Nancy Hudson
 Address: 29213 Enchanted Glen Fair Oaks Ranch, TX 78015-4911
 Signature: Robert Hudson Nancy Hudson
 Date: 30 January 2023

Comments:



PLANNING & ZONING CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

February 9, 2023

AGENDA TOPIC: Consideration and possible action recommending approval of the proposed City of Fair Oaks Ranch Unified Development Code amendments and authorizing its presentation to the City Council

DATE: February 9, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

INTRODUCTION/BACKGROUND:

During the past two years the Planning and Zoning Commission (P&Z) worked with city staff and planning consultant Ardurra on creating amends to the Unified Development Code (UDC). A series of (5) five work sessions were held to discuss the diagnostic findings of the current UDC and to gather P&Z's input on the issues identified. Staff also provided input and recommendations. Additionally, the consultant's experience in utilizing the UDC to undertake review of planning applications assisted in identifying areas of improvement.

A summary of the P&Z's concerns and related action items has been updated periodically to reflect the proposed amendments, including staff input. Using that as a framework, implementation steps were identified that included text amendments, incorporation of additional guidelines, and topics for further research and discussion.

The Commissioners were provided a redline copy and a clean version of the proposed amended UDC and had the city consultant performed a summary review of the changes. After the review and discussion, it was decided an updated redline version would be produced. In addition, it was determined a chapter-by-chapter review would be provided at future P&Z meetings. The review has been completed and a final redline version and clean version of the UDC has been produced and relayed to the Commission. The latest redline version (January 2023) is separated by chapters and can be found online at:

<https://www.fairoaksranchtx.org/452/Unified-Development-Code>

As the P&Z has completed the project task, the following steps are anticipated for the completion of amending the UDC:

1. P&Z recommend approval of proposed UDC amendments
2. P&Z present UDC amendments to City Council
3. City Council reviews final draft and incorporates input
4. City Council performs final review and sets public hearing dates
5. City Council holds public hearings
6. City Council adopts amended Unified Development Code

Tonight's discussion will focus on the final review of the proposed amendments. Additionally, the P&Z will recommend presenting the proposed UDC amendments to the City Council by a representative(s) of the Commission.

LEGAL ANALYSIS

Legal has attended all P&Z meetings, provided necessary guidance, and reviewed the UDC amendments.

RECOMMENDATION/PROPOSED MOTION:

I move to recommend approval of the proposed Unified Development Code amendments and authorize its presentation to the City Council.